

Superfund Records Center

SITE: New Bedford

BREAK: 7.8

OTHER: 509439



SDMS DocID

509439

United States Environmental Protection Agency Washington DC 20460 EPA Interagency Agreement / Amendment Part I - General Information		1. EPA / IAG Identification Number DW96940189-01-0	4. Funding Location by Region 01						
		2. Other Agency ID Number	5. Program Office Abbreviation OSRR						
		3. Type of Action NEW PROJECT							
6. Name and Address of EPA Organization U.S. ENVIRONMENTAL PROTECTION AGENCY CONTRACTS MANAGEMENT SECTION, HBS 1 CONGRESS STREET, SUITE 1100 BOSTON, MA 02114-2023		7. Name and Address of Other Agency U.S. ARMY CORPS OF ENGINEERS HTRW-CX 12565 WEST CENTER ROAD OMAHA, NE 68144-3869							
8. Project Title Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Harbor Superfund Site, New Bedford, MA - MAD980731335.									
9. EPA Project Officer (Name, Address, Telephone Number) MICHAEL MCGAGH, PROJECT OFFICER US EPA CONTRACTS MGMT. SECTION 1 CONGRESS STREET, SUITE 1100, HBS BOSTON, MA 02114-2023 (617) 918-1428		10. Other Agency Project Officer (Name, Address, Telephone Number) MARVENE SEAMAN, PROGRAM MANAGER U.S. ARMY CORPS OF ENGINEERS, HTRW-CX 12565 WEST CENTER ROAD OMAHA, NE 68144-3869 (402) 697-2425							
11. Project Period 02/01/99 to 01/31/02		12. Budget Period 02/01/99 to 01/31/02							
13. Scope of Work (Attach additional sheets, as needed) Please see attached scope of work.									
<div style="text-align: center;"> <p>Direct Fund Ltr: \$ 3,200,000</p> <p>Revised Reimbursable: \$ 100,000</p> </div>									
<div style="text-align: center;"> <p>RECEIVED</p> <p>FEB 19 1999</p> <p>CONTRACTS MANAGEMENT OFFICE</p> <p>OSRR</p> </div>									
14. Statutory Authority for Both Transfer of Funds and Project Activities (See continuation page)			15. Other Agency Type FEDERAL AGENCY						
FUNDS	PREVIOUS AMOUNT	AMOUNT THIS ACTION	AMENDED TOTAL						
16. EPA Amount	0	3,300,000							
17. EPA In-Kind Amount	0	0							
18. Other Agency Amount	0	0							
19. Other Agency In-Kind Amount	0	0							
20. Total Project Cost	0	3,300,000							
21. Fiscal Information									
Site Name	DCN	FY	Approp.	Budget Org.	Program Elem.	Object	Site/Project	Cost Org.	Obligation
	RUP004	99	TR2	1A00R	50102D	25.07	0143RA01	C003	3,300,000

Part II - Approved Budget

EPA IAG Identification Number
DW96940189-01-0

22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	100,000	100,000
(b) Fringe Benefits	0	0
(c) Travel	0	0
(d) Equipment	0	0
(e) Supplies	0	0
(f) Procurement / Assistance	3,200,000	3,200,000
(g) Construction	0	0
(h) Other	0	0
(i) Total Direct Charges	3,300,000	3,300,000
(j) Indirect Costs: Rate <u>0.00</u> % Base \$	0	0
(k) Total: (EPA Share: <u>100.00</u> %) (Other Agency Share <u>0.00</u> %)	3,300,000	3,300,000

23. Is Equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes ☒ No
(Identify all equipment costing \$1000 or more.)

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes ☐ No

Type of extramural agreement ☐ Grant ☐ Cooperative Agreement ☒ Procurement (Includes Small Purchase Order)

Contractor / Recipient Name (If known)	Total Extramural Amount under this Project	Percent Funded by EPA (If known)
	3,200,000	100.00

Part III - Funding Methods and Billing Instructions

25. ☒ Funds-Out Agreement (Note: EPA Agency Location Code (ALC) - 68010727)

☒ Disbursement Agreement

☒ Repayment Request for repayment of actual costs must be itemized on SF-1080 and submitted to the Financial Management Office, Cincinnati, OH 45268:
☒ Monthly ☐ Quarterly ☐ Upon Completion of Work

☐ Advance Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268.

☐ Allocation Transfer-Out Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of the Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26. ☐ Funds-In Agreement

☐ Reimbursement Agreement ☐ Repayment
☐ Allocation Transfer-In ☐ Advance

Other Agency's IAG Identification Number

EPA Program Office Allowance Holder/Resp. Center No.

Other Agency's Billing Address (Include ALC or Station Symbol Number)

Other Agency's Billing Instruction and Frequency

Part IV - Acceptance Conditions

EPA IAG Identification Number
DW96940189-01-0

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions

Part V - Offer and Acceptance

- NOTE:** 1) For Funds-Out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by the EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of the offer by EPA. Any change to the agreement by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.
- 2) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization / Address

US ENVIRONMENTAL PROTECTION AGENCY
GRANTS MANAGEMENT OFFICE, MGM
1 CONGRESS ST. #1100
BOSTON, MA 02114-2023

30. Organization / Address

U.S. ENVIRONMENTAL PROTECTION AGENCY
CONTRACTS MANAGEMENT SECTION, HBS
1 CONGRESS STREET, SUITE 1100
BOSTON, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

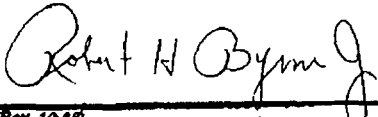
Decision Official on Behalf of the Environmental Protection Agency Program Office

31. Signature 	Typed Name and Title PATRICIA L. MEANEY, DIRECTOR OFFICE OF SITE REMEDIATION & RESTORATION	Date 2/8/99
--	--	----------------

Action Official on Behalf of the Environmental Protection Agency

32. Signature 	Typed Name and Title STEPHEN S. PERKINS, DIRECTOR OFFICE OF ADMIN. & RESOURCES MANAGEMENT	Date 2/9/99
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Authorizing Official on Behalf of Other Agency

33. Signature 	Typed Name and Title WILLIAM C. SCULLY, CHIEF PROGRAMS/PROJECT MGMT DIVISION	Date 2/17/99
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USEPA/USACE Interagency Agreement (IAG)

Scope of Work for Remedial Action for the Cleanup of Upper and Lower New Bedford Harbor

January 1999

A. Introduction

The USEPA in a September 1998 Record of Decision (ROD) selected a cleanup plan for the upper and lower harbor areas of New Bedford Harbor which involves the removal of approximately 450,000 cy of PCB-contaminated sediment, containment of those sediments in four shoreline confined disposal facilities (CDFs), treatment of water decanted from those sediments, and interim and final capping of the CDFs once full. Section X of the ROD provides a more complete discussion of the selected remedy. Pursuant to this IAG, the US Army Corps of Engineers (the Corps) will perform, either by themselves or through contractors, construction related activities to accomplish this remedy. Importantly, this includes work to be performed by the Commonwealth Electric Company (and overseen by the Corps) to relocate existing high voltage power cables in order to allow the selected remedy to proceed. This COM/Electric remedial action activity is scheduled to take place beginning in early 1999; thus this remedial action IAG is required at this time. The overall goal of this IAG is to implement the selected remedy as cost-effectively and in as timely a manner as possible.

B. Tasks

The following is a preliminary list of activities to be covered by this IAG. Additional tasks may be required pending completion of remedial design.

1. Construction related to COM/Electric's relocation of the existing submerged power lines.
2. Purchase of real estate interests (either easement fees or outright purchase) required for implementation of the remedy.
3. Relocation of combined sewer overflow and other utilities that interfere with construction of the four proposed CDFs.
4. Construction of the four CDFs
5. Implementation of the remedial dredging and excavation program
6. Treatment of the decanted water from the CDFs
7. Performance of associated operational sampling of sediments, water column, air, groundwater and CDF effluent

8. Restoration of excavated wetlands
9. Construction of interim and final caps at each CDF

The specific design details of each of these major tasks will be established in various remedial design documents as the project progresses through the design phase. The remedial activities funded by this IAG shall be entirely consistent with these remedial design plans, or the activities will NOT be funded pursuant to this IAG.

C. Estimated Cost

Based on revised cost estimates developed to date, the current estimated present worth cost to implement the remedial action is approximately \$125 million.

This IAG will be funded in increments rather than in total in order to maximize the balance of funds remaining in the site's interest-earning "special account."

D. Reporting

The Corps shall submit monthly progress reports clearly summarizing monthly costs and total costs charged to this IAG. Costs should be further summarized as to in-house versus contracted costs, with the contractor(s) and Corps personnel identified.

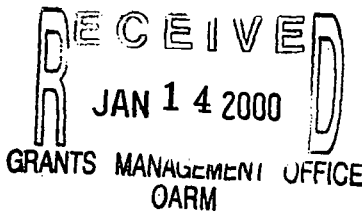
Further, since this IAG will be funded sequentially rather than in total, the monthly reports shall include forecasted funding requirements for the two quarters in advance of the reporting period.

E. Coordination with EPA and Site Stakeholders

All work performed pursuant to this IAG will be closely coordinated with EPA, and EPA will retain overall authority for ensuring that the remedial actions are performed consistent with the September 1998 Record of Decision. In addition, the Corps shall participate with EPA's outreach efforts as directed by EPA.

F. Point of Contact

The technical point of contact for this IAG shall be David J. Dickerson, unless notified otherwise.

EPA United States Environmental Protection Agency Washington DC 20460 Interagency Agreement / Amendment Part I - General Information		1. EPA / IAG Identification Number DW96940189-01-1		4. Funding Location by Region 01					
		2. Other Agency ID Number		5. Program Office Abbreviation OSRR					
		3. Type of Action INCREASE AUGMENT							
6. Name and Address of EPA Organization U.S. ENVIRONMENTAL PROTECTION AGENCY CONTRACTS MANAGEMENT SECTION, HBS 1 CONGRESS STREET, SUITE 1100 BOSTON, MA 02114-2023			7. Name and Address of Other Agency U.S. ARMY CORPS OF ENGINEERS HTRW-CX 12565 WEST CENTER ROAD OMAHA, NE 68144-3869						
8. Project Title Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Harbor Superfund Site, New Bedford, MA - MAD980731335.									
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11. Project Period 02/01/99 to 01/31/02			12. Budget Period 02/01/99 to 01/31/02						
13. Scope of Work (Attach additional sheets, as needed) <div style="display: flex; justify-content: space-between;"> <div> DIRECT FUND CITE: \$3,200,000 - \$1,415,000 = \$4,615,000 REVISED REIMBURSABLE: \$ 100,000 - \$2,000,000 = \$2,100,000 </div> <div style="text-align: center;">  </div> </div>									
14. Statutory Authority for Both Transfer of Funds and Project Activities (See continuation page)					15. Other Agency Type FEDERAL AGENCY				
FUNDS		PREVIOUS AMOUNT		AMOUNT THIS ACTION		AMENDED TOTAL			
16. EPA Amount		3,300,000		3,415,000		6,715,000			
17. EPA In-Kind Amount		0		0		0			
18. Other Agency Amount		0		0		0			
19. Other Agency In-Kind Amount		0		0		0			
20. Total Project Cost		3,300,000		3,415,000		6,715,000			
21. Fiscal Information									
Site Name	DCN	FY	Approp.	Budget Org.	Program Elem.	Object	Site/Project	Cost Org.	Obligation
	RUP001	00	TR2	1A00R	50102D	2507	0143RA01	C003	3,415,000

ECONOMY ACT OF 1932 AS AMENDED
(31 USC 1535) CERCLA, E.O. 12316

Site Name	DCN	FY	Approp.	Budget Organization	Program Element	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
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Part II - Approved Budget

EPA IAG Identification Number
DW96940189-01-1

22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	2,000,000	2,100,000
(b) Fringe Benefits	0	0
(c) Travel	0	0
(d) Equipment	0	0
(e) Supplies	0	0
(f) Procurement / Assistance	1,415,000	4,615,000
(g) Construction	0	0
(h) Other	0	0
(i) Total Direct Charges	3,415,000	6,715,000
(j) Indirect Costs: Rate <u>0.00</u> % Base \$ _____	0	0
(k) Total: (EPA Share: <u>100.00</u> %) (Other Agency Share <u>0.00</u> %)	3,415,000	6,715,000

23. Is Equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes ☒ No
(Identify all equipment costing \$1000 or more.)

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes ☐ No

Type of extramural agreement ☐ Grant ☐ Cooperative Agreement ☒ Procurement (includes Small Purchase Order)

Contractor / Recipient Name (if known)	Total Extramural Amount under this Project	Percent Funded by EPA (if known)
	4,615,000	100.00

Part III - Funding Methods and Billing Instructions

25.

☒ Funds-Out Agreement (Note: EPA Agency Location Code (ALC) - 68010727)

☒ Disbursement Agreement

☒ Repayment Request for repayment of actual costs must be itemized on SF-1080 and submitted to the Financial Management Office, Cincinnati, OH 45268:

☒ Monthly ☐ Quarterly ☐ Upon Completion of Work

☐ Advance Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268.

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26.

☐ Funds-In Agreement

☐ Reimbursement Agreement

☐ Repayment
☐ Advance

☐ Allocation Transfer-In

Other Agency's IAG Identification Number

EPA Program Office Allowance Holder/Resp. Center No.

Other Agency's Billing Address (include ALC or Station Symbol Number)

Other Agency's Billing Instruction and Frequency

Part IV - Acceptance Conditions

EPA IAG Identification Number
DW96940189-01-1

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions

Part V - Offer and Acceptance


- NOTE: 1) For Funds-Out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by the EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of the offer by EPA. Any change to the agreement by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.
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EPA IAG Administration Office (for administrative assistance)	EPA Program Office (for technical assistance)
29. Organization / Address US ENVIRONMENTAL PROTECTION AGENCY GRANTS MANAGEMENT OFFICE, MGM 1 CONGRESS ST. #1100 BOSTON, MA 02114-2023	30. Organization / Address U.S. ENVIRONMENTAL PROTECTION AGENCY CONTRACTS MANAGEMENT SECTION, HBS 1 CONGRESS STREET, SUITE 1100 BOSTON, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

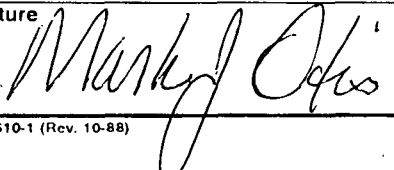
Decision Official on Behalf of the Environmental Protection Agency Program Office

31. Signature 	Typed Name and Title PATRICIA L. MEANEY, DIRECTOR OFFICE OF SITE REMEDIATION & RESTORATION	Date 12/27/99
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Action Official on Behalf of the Environmental Protection Agency


32. Signature 	Typed Name and Title STEPHEN S. PERKINS, DIRECTOR OFFICE OF ADMIN. & RESOURCE MANAGEMENT	Date 12/27/99
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Authorizing Official on Behalf of Other Agency

33. Signature 	Typed Name and Title WILLIAM C. SCULLY, CHIEF PROGRAMS/PROJECT MGMT DIVISION	Date 1/4/00
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DW 96940189-01-2

Page 1 of 3

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - 2	4. Funding Location by Region EPA R1																								
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1-OSRR																								
	3. Type of Action Augmentation: Increase																									
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023		7. Name and Address of Other Agency US Army Corp of Engineers - Omaha District 1265 W. Center Road, HTRW-CX Omaha, NE 68144-3869																								
8. Project Title Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.																										
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11. Project Period 02/01/1999 to 01/31/2002		12. Budget Period 02/01/1999 to 01/31/2002																								
13. Scope of Work Direct Fund Cite: \$4,615,000+\$5,385,000 = \$10,000,000 Revised Reimbursable: \$2,100,000+\$ 500,000 = \$ 2,600,000 EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972																										
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115; Economy Act Of 1932 As Amended; Executive Order 12580		15. Other Agency Type Federal Agency																								
<table border="1"> <thead> <tr> <th>Funds</th> <th>Previous Amount</th> <th>Amount This Action</th> <th>Amended Total</th> </tr> </thead> <tbody> <tr> <td>16. EPA Amount</td> <td>\$6,715,000</td> <td>\$5,885,000</td> <td>\$12,600,000</td> </tr> <tr> <td>17. EPA In-Kind Amount</td> <td></td> <td></td> <td>\$0</td> </tr> <tr> <td>18. Other Agency Amount</td> <td></td> <td></td> <td>\$0</td> </tr> <tr> <td>19. Other Agency In-Kind Amt.</td> <td></td> <td></td> <td>\$0</td> </tr> <tr> <td>20. Total Project Cost</td> <td>\$6,715,000</td> <td>\$5,885,000</td> <td>\$12,600,000</td> </tr> </tbody> </table>			Funds	Previous Amount	Amount This Action	Amended Total	16. EPA Amount	\$6,715,000	\$5,885,000	\$12,600,000	17. EPA In-Kind Amount			\$0	18. Other Agency Amount			\$0	19. Other Agency In-Kind Amt.			\$0	20. Total Project Cost	\$6,715,000	\$5,885,000	\$12,600,000
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Site Name	DCN RUP002	FY 00	Approp. TR2	Budget Org. 1A00R	PRC 50102D	Object 25.07	Site/Project 0143RA01	Cost Org. C003	Obligation 5885000																	

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

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APR 10 2000
GRANTS MANAGEMENT OFFICE
OARM

DW 96940189-01-2

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - 2
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$500,000	\$2,600,000
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$5,385,000	\$10,000,000
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$5,885,000	\$12,600,000
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$5,885,000	\$12,600,000
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Extramural Agreement <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	10000000 Total. \$ 10,000,000.00	100
Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727)		
25. <input checked="" type="checkbox"/> Disbursement Agreement <input checked="" type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-Out Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268: <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type for payment method. Unexpected funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.		
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Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - 2

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EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

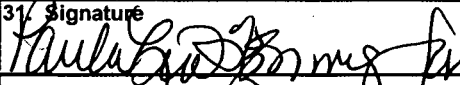

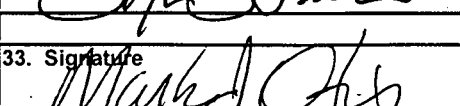
30. Organization/Address

US Environmental Protection Agency
Region 1-OSRR
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature 	Typed Name and Title Pat Meaney / Director, Office of Site Remediation & Restoration	Date 3/16/00
Action on Behalf of the Environment Protection Agency		
32. Signature 	Typed Name and Title Stephen Perkins / Director, Office of Administration & Resources Management	Date 3/17/00
Authoring Official on Behalf of the Other Agency		
33. Signature 	Typed Name and Title Mark J. Otis / Chief, Environmental Project Management Branch	Date 3/21/00

DW 96940189-01-2



United States Environmental
Protection Agency
Washington, DC 20460
Interagency Agreement
Amendment
Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - 3	4. Funding Location by Region EPA R1
2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1-OSRR
3. Type of Action Augmentation: Increase	

6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023	7. Name and Address of Other Agency US Army Corp of Engineers - Omaha District 1265 W. Center Road, HTRW-CX Omaha, NE 68144-3869
--	---

8. Project Title Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.
--

9. EPA Project Officer (Name, Address, Phone Number) Mike McGagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 1265 W. Center Road, HTRW-CX Omaha, NE 68144-3869 402-697-2425
---	--

11. Project Period 02/01/1999 to 01/31/2002	12. Budget Period 02/01/1999 to 01/31/2002
--	---

13. Scope of Work Direct Fund Cite: \$10,000,000+\$2,298,138 = \$12,298,138 Revised Reimbursable: \$2,600,000+\$0 = \$2,600,000 Total \$14,898,138 EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972
--

14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115; Economy Act Of 1932 As Amended; Executive Order 12580	15. Other Agency Type Federal Agency
---	---

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$12,600,000	\$2,298,138	\$14,898,138
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$12,600,000	\$2,298,138	\$14,898,138

21. FISCAL

Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP004	2000	TR1	1A00R	50102D	2507	0143RA01	C003	2298138

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28 2000
OFFICE

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - 3
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$2,600,000
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$2,298,138	\$12,298,138
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$2,298,138	\$14,898,138
(j) Indirect Costs: Rate % Base \$		\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$2,298,138	\$14,898,138
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Extramural Agreement <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	12298138 Total \$ 12,298,138.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement <input checked="" type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-Out	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002. <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-In		
Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - 3

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

Part V - Offer and Acceptance

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023


30. Organization/Address

US Environmental Protection Agency
Region 1-OSRR
1 Congress Street, Suite 1100
Boston, MA 02114-2023


Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

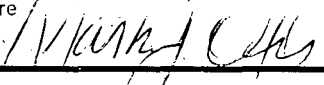
Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature 	Typed Name and Title Pat Meaney / Director, Office of Site Remediation & Restoration	Date 7/10/00
--	---	-----------------


Action on Behalf of the Environment Protection Agency

32. Signature 	Typed Name and Title Stephen Perkins / Director, Office of Administration & Resources Management	Date 7/10/00
--	---	-----------------

Authorizing Official on Behalf of the Other Agency

33. Signature 	Typed Name and Title Mark J. Otis / Chief, Environmental Project Management Branch	Date 7/18/00
--	---	-----------------

DW 96940189-01-4

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - 4	4. Funding Location by Region EPA R1
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1-OSRR
	3. Type of Action Augmentation: Increase	

6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869
--	---

8. Project Title
Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.

9. EPA Project Officer (Name, Address, Phone Number) Mike McGagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425
---	--

11. Project Period 02/01/1999 to 01/31/2002	12. Budget Period 02/01/1999 to 01/31/2002
--	---

13. Scope of Work
Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Maureen Owens 800-439-2370.

14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115; Economy Act Of 1932 As Amended; Executive Order 12580	15. Other Agency Type Federal Agency
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Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$14,898,138	\$11,847,022	\$26,745,160
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$14,898,138	\$11,847,022	\$26,745,160

Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP001	2001	TR2	1A00R	50102D	2507	0143RA01	C003	11,847,022
									11,847,022

Part II - Approved Budget

EPA IAG Identification Number

DW-96-94018901 - 4

22. Budget CategoriesItemization of
This ActionItemization of Total Project
Estimated Cost to Date

(a) Personnel	\$300,000	\$2,900,000
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$11,547,022	\$23,845,160
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$11,847,022	\$26,745,160
(j) Indirect Costs: Rate % Base \$		\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$11,847,022	\$26,745,160

23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes ☒ No

(Identify all equipment costing \$1,000 or more)

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes ☐ NoType of Extramural Agreement ☐ Grant ☐ Cooperative Agreement ☒ Procurement

Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	23845160 Total \$ 23,845,160.00	100

Part III - Funding Methods and Billing Instructions

(Note: EPA Agency Location Code (ALC) - 68010727)

- ☒ Disbursement Agreement
 ☒ Repayment
 ☐ Advance
☐ Allocation Transfer-Out
- Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:
☒ Monthly ☐ Quarterly ☐ Upon Completion of Work
- Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.
- Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26.

- ☐ Reimbursement Agreement
 ☐ Repayment
 ☐ Advance
☐ Allocation Transfer-In

Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - 4

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

Part V - Offer and Acceptance

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023


30. Organization/Address

US Environmental Protection Agency
Region 1-OSRR
1 Congress Street, Suite 1100
Boston, MA 02114-2023


Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature 	Typed Name and Title Pat Meaney, Director, Office of Site Remediation & Restoration	Date 3/12/2001
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Action on Behalf of the Environment Protection Agency

32. Signature 	Typed Name and Title James T. Owens, Acting Director Office of Administration & Resource Management	Date 3/13/2001
--	--	-------------------

Authorizing Official on Behalf of the Other Agency

33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 3/21/01
--	--	-----------------

065 868 40189-01-5

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - 5	4. Funding Location by Region EPA R1
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1-OSRR
	3. Type of Action Augmentation: Increase	

6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869
--	---

8. Project Title Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.
--

9. EPA Project Officer (Name, Address, Phone Number) Mike Mcgagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425
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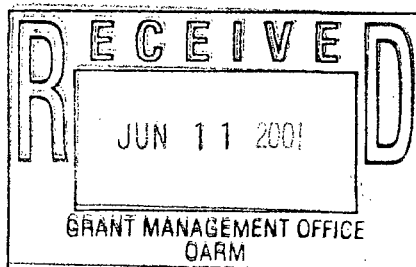
11. Project Period 02/01/1999 to 01/31/2002	12. Budget Period 02/01/1999 to 01/31/2002
--	---

13. Scope of Work Please refer to existing Scope of Work
EPA Grants Specialist for this IAG is Maureen Owens 800-439-2370.

14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115; Economy Act Of 1932 As Amended; Executive Order 12580	15. Other Agency Type Federal Agency
---	---

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$26,745,160	\$4,587,207	\$31,332,367
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$26,745,160	\$4,587,207	\$31,332,367

Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP001	2001	TR1	1A00R	50102D	2507	0143RA01	C003	4,587,207
									4,587,207



Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - 5
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$2,900,000
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$4,587,207	\$28,432,367
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$4,587,207	\$31,332,367
(j) Indirect Costs: Rate % Base \$		\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$4,587,207	\$31,332,367
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Extramural Agreement <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster/Wheeler	28432367 Total \$ 28,432,367.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: <input checked="" type="checkbox"/> Repayment <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work <input type="checkbox"/> Advance Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. <input type="checkbox"/> Allocation Transfer-Out Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.		
26. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-In		
Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - 5

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

Part V - Offer and Acceptance

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023


30. Organization/Address

US Environmental Protection Agency
Region 1-OSRR
1 Congress Street, Suite 1100
Boston, MA 02114-2023


Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.


Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature 	Typed Name and Title Patricia L. Meaney, Director Office of Site Remediation and Restoration	Date 5/15/2001
--	---	-------------------

Action on Behalf of the Environment Protection Agency

32. Signature 	Typed Name and Title Stephen Perkins, Director Office of Administration & Resources Management	Date 5/17/2001
--	---	-------------------

Authorizing Official on Behalf of the Other Agency

33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 5/29/01
--	--	-----------------

DW 96940189-01-6



United States Environmental
Protection Agency
Washington, DC 20460
Interagency Agreement
Amendment
Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - 6	4. Funding Location by Region EPA R1
2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1-OSRR
3. Type of Action Augmentation: Increase	

6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869
--	---

8. Project Title Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.
--

9. EPA Project Officer (Name, Address, Phone Number) Mike McGagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425
---	--

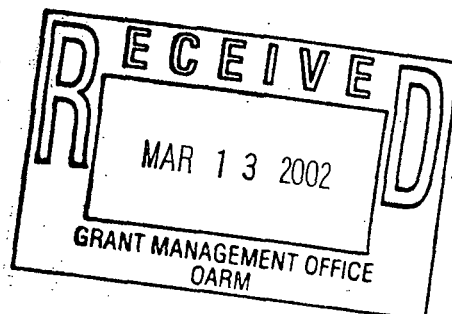
11. Project Period 02/01/99 to 01/31/2007	12. Budget Period 02/01/99 to 01/31/2007
--	---

13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972
--

14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115	15. Other Agency Type Federal Agency
--	---

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$31,332,367	\$9,996,493	\$41,328,860
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$31,332,367	\$9,996,493	\$41,328,860

21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP002	2002	TR2	1A00R	50102D	2507	0143RA01	C003	9,796,493
	RSP001	2002	TR1	1A00R	50102D	2507			200,000
									9,996,493



Part II - Approved Budget

EPA IAG Identification Number

DW-96-94018901 - 6

22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$2,900,000
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$9,996,493	\$38,428,860
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$9,996,493	\$41,328,860
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$9,996,493	\$41,328,860

23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes ☒ No

(Identify all equipment costing \$1,000 or more)

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes ☐ NoType of Extramural Agreement ☐ Grant ☐ Cooperative Agreement ☒ Procurement

Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	38428860 Total \$ 38,428,860.00	100

Part III - Funding Methods and Billing Instructions

25. (Note: EPA Agency Location Code (ALC) - 68010727)

- ☒ Disbursement Agreement Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:
- ☒ Repayment ☒ Monthly ☐ Quarterly ☐ Upon Completion of Work
- ☐ Advance Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.
- ☐ Allocation Transfer-Out Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division; Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26.

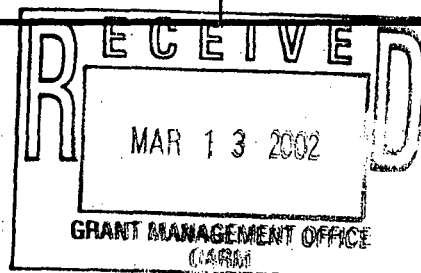
- ☐ Reimbursement Agreement
- ☐ Repayment
- ☐ Advance
- ☐ Allocation Transfer-In

Other Agency's IAG Identification Number

EPA Program Office Allowance Holder/Resp. Center No.

Other Agency's Billing Address (include ALC or Station Symbol Number)

Other Agency's Billing Instructions and Frequency



Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - 6

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

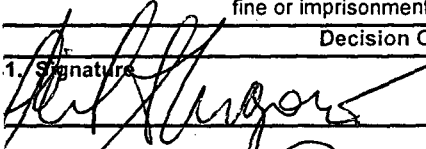
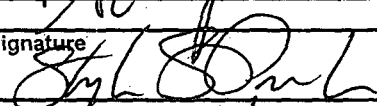
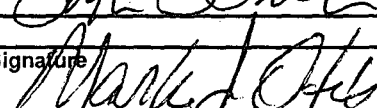
30. Organization/Address

US Environmental Protection Agency
Region 1-OSRR
1 Congress Street, Suite 1100
Boston, MA 02114-2023

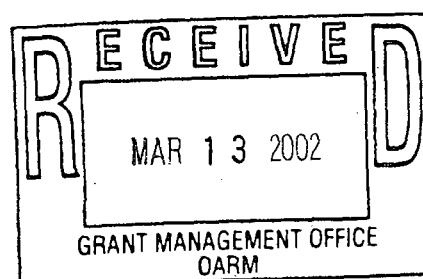
Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office


1. Signature 	Typed Name and Title Patricia L. Meaney, Director Office of Site Remediation and Restoration Action on Behalf of the Environment Protection Agency	Date 2/6/02
2. Signature 	Typed Name and Title Stephen Perkins, Director Office of Administration & Resources Management Authorizing Official on Behalf of the Other Agency	Date 2/11/02
3. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 2/22/02

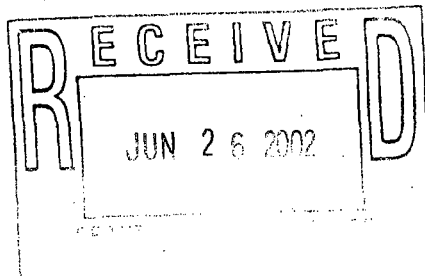
A Form 1610-1 (Rev. 10-88) Previous editions are obsolete.



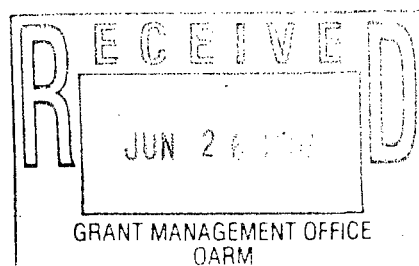
DN DGM 7/18/02

DW 96940189-01-7

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - 7	4. Funding Location by Region EPA R1
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1-OSRR
	3. Type of Action Augmentation: Increase	
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869	
8. Project Title Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.		
9. EPA Project Officer (Name, Address, Phone Number) Mike Mcgagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425	
11. Project Period 02/01/99 to 01/31/2007	12. Budget Period 02/01/99 to 01/31/2007	
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972		
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115		15. Other Agency Type Federal Agency
Funds	Previous Amount	Amount This Action
16. EPA Amount	\$41,328,860	\$2,563,133
17. EPA In-Kind Amount	\$0	\$0
18. Other Agency Amount	\$0	\$0
19. Other Agency In-Kind Amt.	\$0	\$0
20. Total Project Cost	\$41,328,860	\$2,563,133
21. Fiscal		
Site Name	DCN	FY
	RUP007	02
Approp.	Budget Org.	PRC
TR2	1A00R	50102D
Object	Site/Project	Cost Org.
2507	0143RA01	C003
		Obligation
		2,563,133



Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - 7
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$2,900,000
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$2,563,133	\$40,991,993
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$2,563,133	\$43,891,993
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$2,563,133	\$43,891,993
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Extramural Agreement <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	40991993 Total \$ 40,991,993.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Repayment <input type="checkbox"/> Advance </div> <div> Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. </div> </div> <input type="checkbox"/> Allocation Transfer-Out		
26. <input type="checkbox"/> Reimbursement Agreement <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Repayment <input type="checkbox"/> Advance </div> <div> <input type="checkbox"/> Allocation Transfer-In </div> </div>		
Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency



Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - 7

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

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EPA IAG Administration Office (for administrative assistance)**EPA Program Office (for technical assistance)****29. Organization/Address**

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

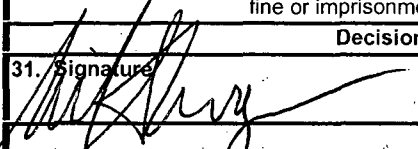
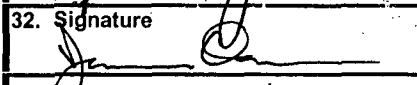
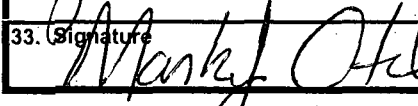
30. Organization/Address

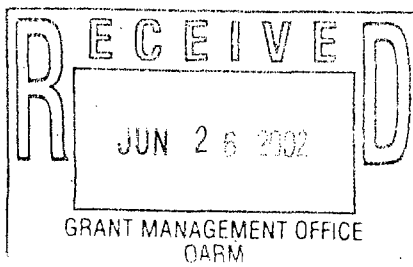
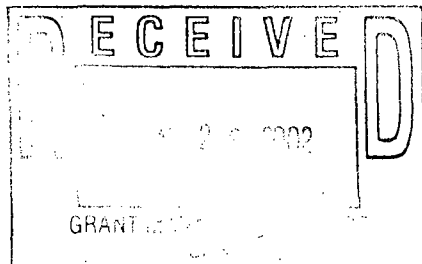
US Environmental Protection Agency
Region 1-OSRR
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification


All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature 	Typed Name and Title Patricia L. Meaney, Director Office of Site Remediation and Restoration	Date 6/4/02
Action on Behalf of the Environment Protection Agency		
32. Signature 	Typed Name and Title Stephen Perkins, Director Office of Administration & Resources Management	Date 6/5/02
Authorizing Official on Behalf of the Other Agency		
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 6/14/02



DW 96940189-01-8

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - 8	4. Funding Location by Region EPA R1
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1
	3. Type of Action Augmentation: Increase	
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869	
8. Project Title and Description Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335. Increase in funds Explanation of Changes Major (Amendment Req.)		
9. EPA Project Officer (Name, Address, Phone Number) Mike McGagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425	
11. Project Period 02/01/99 to 01/31/2007	12. Budget Period 02/01/99 to 01/31/2007	
13. Scope of Work Please refer to existing Scope of Work		
EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972		
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115		15. Other Agency Type Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$43,891,993	\$1,100,000	\$44,991,993
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$43,891,993	\$1,100,000	\$44,991,993

21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP010	2002	TR2	1A00R	50102D	2507	0143RA01	C003	1,100,000
									1,100,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

	<u>Previous</u>	<u>Increase</u>	<u>Revised Amt</u>
Direct Fund Cite:	40,991,993	1,100,000	42,091,993
Revised Reimbursable:	2,900,000	-0-	2,900,000
			44,991,993

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - 8
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$2,900,000
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$1,100,000	\$42,091,993
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$1,100,000	\$44,991,993
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$1,100,000	\$44,991,993

23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes ☒ No
(Identify all equipment costing \$1,000 or more)

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes ☐ No

Type of Extramural Agreement ☐ Grant ☐ Cooperative Agreement ☒ Procurement

Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	42091993	100
	Total \$ 42,091,993.00	

Part III - Funding Methods and Billing Instructions

25. (Note: EPA Agency Location Code (ALC) - 68010727)

☒ Disbursement Agreement
 ☒ Repayment
 ☐ Advance
 ☐ Allocation Transfer-Out

Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:
☒ Monthly ☐ Quarterly ☐ Upon Completion of Work

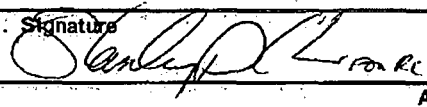
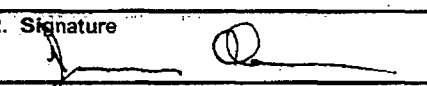
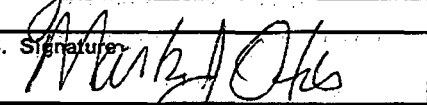
Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.


Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26.
☐ Reimbursement Agreement
☐ Repayment
☐ Advance
☐ Allocation Transfer-In

Funding Agency's Treasury Symbol ☐ One-Year ☐ Two-Year ☐ No-Year

Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - 8
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed) 		
Part V - Offer and Acceptance		
Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023	30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023	
Certification		
All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title Richard Cavagnero, Acting Dir. Office of Site Remediation & Restoration	Date 8/29/02
Action on Behalf of the Environment Protection Agency		
32. Signature 	Typed Name and Title James T. Owens, Acting Director Office of Administration & Resource Management	Date 8/29/02
Authorizing Official on Behalf of the Other Agency		
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 9/12/02

 <div style="margin-left: 50px;"> United States Environmental Protection Agency Washington, DC 20460 Interagency Agreement Amendment Part 1 - General Information </div>		1. EPA IAG Identification Number DW-96-94018901 - 9	4. Funding Location by Region EPA R1
		2. Other Agency IAG ID Number	5. Program Office Abbreviation: Region 1
		3. Type of Action Augmentation: Increase	
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023		7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869	
8. Project Title and Description Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335. Increase in funds Explanation of Changes Major (Amendment Req.)			
9. EPA Project Officer (Name, Address, Phone Number) Mike Mcgagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425	
11. Project Period 02/01/99 to 01/31/2007		12. Budget Period 02/01/99 to 01/31/2007	
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972			
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115			15. Other Agency Type Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$44,991,993	\$7,641,026	\$52,633,019
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$44,991,993	\$7,641,026	\$52,633,019

21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP009	02	TC	1A00R	50102D	2507	0143RA01	C003	6,441,026
	RAP010	02	T	1A00R	50102D	2507	0143RA01	C003	100,000
	RUP012	02	TR2	1A00R	50102D	2507	0143RA01	C003	1,100,000
									7,641,026

Part II - Approved Budget

EPA IAG Identification Number

DW-96-94018901 - 9

22. Budget CategoriesItemization of
This ActionItemization of Total Project
Estimated Cost to Date

(a) Personnel		\$2,900,000
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$7,641,026	\$49,733,019
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$7,641,026	\$52,633,019
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$7,641,026	\$52,633,019

23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes ☒ No

(Identify all equipment costing \$1,000 or more)

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes ☐ NoType of Extramural Agreement ☐ Grant ☐ Cooperative Agreement ☒ Procurement

Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	48633019 Total: \$ 48,633,019.00	100

Part III - Funding Methods and Billing Instructions

25. (Note: EPA Agency Location Code (ALC) - 68010727)

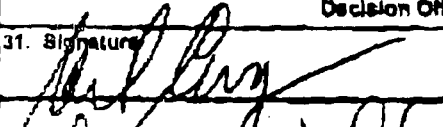
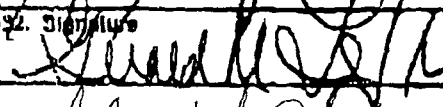
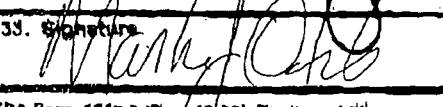
- ☒ Disbursement Agreement Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:
- ☒ Repayment ☒ Monthly ☐ Quarterly ☐ Upon Completion of Work
- ☐ Advance Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.
- ☐ Allocation Transfer-Out Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26.


- ☐ Reimbursement Agreement
- ☐ Repayment
- ☐ Advance
- ☐ Allocation Transfer-In

Funding Agency's Treasury Symbol ☐ One-Year ☐ Two-Year ☐ No-Year

Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency

Part IV - Acceptance Conditions		EPA Identification Number DW-98-94018801 - 9
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed) 		
Part V - Offer and Acceptance		
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EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023		30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certification		
All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title Richard Cavagnaro, Acting Dir. Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency	Date 9-26-02
32. Signature 	Typed Name and Title James T. Owens, Acting Director Office of Administration & Resource Management Authorizing Official on Behalf of the Other Agency	Date 9/26/02
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 9/26/02

DW 96940189-01-A

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - A	4. Funding Location by Region EPA R1
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1
	3. Type of Action Augmentation: Increase	

6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869
--	---

8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Major (Amendment Req.) Agreement increased by \$12,075,000

9. EPA Project Officer (Name, Address, Phone Number) Mike Mcgagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425
---	--

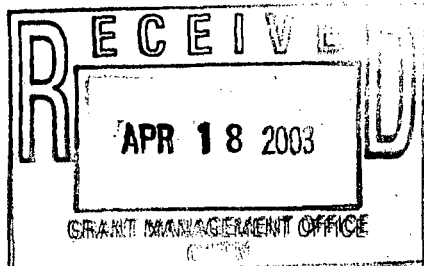
11. Project Period 02/01/1999 to 01/31/2007	12. Budget Period 02/01/1999 to 01/31/2007
--	---

13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is Cheryl Scott 617-918-1174
--

14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115	15. Other Agency Type Federal Agency
--	---

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$52,633,019	\$12,075,000	\$64,708,019
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$52,633,019	\$12,075,000	\$64,708,019

21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP003	2003	TR1	1A00R	50102D	2507	0143RA01	C003	1,400,000
	RUP002	2003	TR2B	1A00R	50102D	2507	0143RA01	C003	675,000
	RAP001	2003	T	1A00R	50102D	2507	0143RA01	C003	4,500,000
	RAP006	2003	T	1A00R	50102D	2507	0143RA01	C003	5,500,000
									12,075,000



Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - A
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$2,500,000	\$5,400,000
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$9,575,000	\$59,308,019
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$12,075,000	\$64,708,019
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$12,075,000	\$64,708,019

23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes ☒ No
(Identify all equipment costing \$1,000 or more)

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes ☐ No

Type of Extramural Agreement ☐ Grant ☐ Cooperative Agreement ☒ Procurement

Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	63808019	100
	Total \$ 63,808,019.00	

Part III - Funding Methods and Billing Instructions

25. (Note: EPA Agency Location Code (ALC) - 68010727)

☒ Disbursement Agreement

☒ Repayment ☐ Advance

☐ Allocation Transfer-Out

Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:

☒ Monthly ☐ Quarterly ☐ Upon Completion of Work

Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.

Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26.

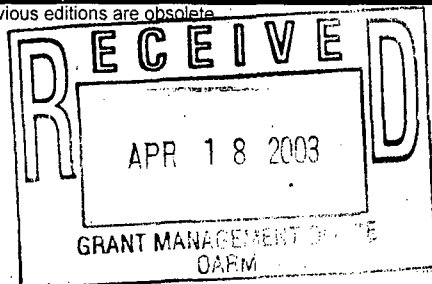
☐ Reimbursement Agreement

☐ Repayment ☐ Advance

☐ Allocation Transfer-In

Funding Agency's Treasury Symbol ☐ One-Year ☐ Two-Year ☐ No-Year

Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency



Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - A

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

30. Organization/Address

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature

Typed Name and Title

Date

Richard Cavagnero, Acting Dir. Office of Site Remediation & Restoration

3/27/03

Action on Behalf of the Environment Protection Agency

32. Signature

Typed Name and Title

Date

James T. Owens, Acting Director Office of Administration & Resource Management

3/28/03

Authorizing Official on Behalf of the Other Agency

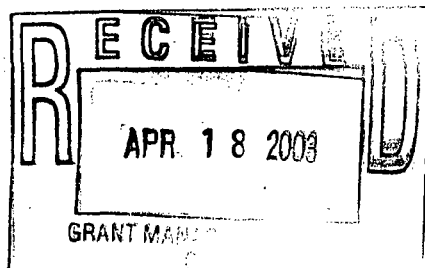
33. Signature

Typed Name and Title

Date

Mark J. Otis, Chief, Environmental Project Management Branch

4/3/03





United States Environmental
Protection Agency
Washington, DC 20460

Interagency Agreement

Amendment

Part 1 - General Information

1. EPA IAG Identification Number
DW-96-94018901 - B

2. Other Agency IAG ID Number

3. Type of Action
Augmentation: Increase

4. Funding Location by Region
EPA R1

5. Program Office
Abbreviation
Region 1

6. Name and Address of EPA Organization
US Environmental Protection Agency
Contracts Management Section, HBS
1 Congress Street, Suite 1100
Boston, MA 02114-2023
DUNS: 029128894

7. Name and Address of Other Agency
Corps of Engineers-Omaha HTRW CX
12565 West Center Road
Omaha, NE 68144-3869
DUNS:

8. Project Title and Description
Remedial Action for clean-up of Upper and Lower Harbor at
New Bedford Superfund Site, New Bedford, MAD980731335.
Major (Amendment Req.); Increase funding

9. EPA Project Officer (Name, Address, Phone Number)
Mike McGagh
1 Congress Street, Suite 1100
Boston, MA 02114-2023
617-918-1428

10. Other Agency Project Officer (Name, Address, Phone Number)
Marvene Seaman
12565 West Center Road
Omaha, NE 68144-3869
402-697-2425

11. Project Period
02/01/99 to 01/31/2007

12. Budget Period
02/01/99 to 01/31/2007

13. Scope of Work
Please refer to existing Scope of Work
EPA Grants Specialist for this IAG is Cheryl Scott 617-918-1174

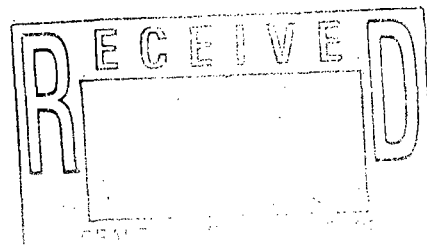
14. Statutory Authority for Both Transfer of Funds and Project Activities
CERCLA: Secs. 105(A)(4) & 115

15. Other Agency Type
Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$64,708,019	\$520,700	\$65,228,719
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$64,708,019	\$520,700	\$65,228,719

21. Fiscal

Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP008	2003	TR2	1A00R	50102D	2507	0143RA01	C003	520,700
									520,700



Part II - Approved Budget

EPA IAG Identification Number

DW-96-94018901 - B

22. Budget CategoriesItemization of
This ActionItemization of Total Project
Estimated Cost to Date

a) Personnel	\$4,520,700	\$9,920,700
b) Fringe Benefits		\$0
c) Travel		\$0
d) Equipment		\$0
e) Supplies		\$0
f) Procurement / Assistance	\$-4,000,000	\$55,308,019
g) Construction		\$0
h) Other		\$0
i) Total Direct Charges	\$520,700	\$65,228,719
j) Indirect Costs: Rate % . Base \$	\$0	\$0
k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$520,700	\$65,228,719

23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes ☒ No

(Identify all equipment costing \$1,000 or more)

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes ☐ NoType of Extramural Agreement ☐ Grant ☐ Cooperative Agreement ☒ Procurement

Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	55308019 Total. \$ 55,308,019.00	100

Part III - Funding Methods and Billing Instructions

(Note: EPA Agency Location Code (ALC) - 68010727)

25. ☒ Disbursement Agreement
☒ Repayment
☐ Advance
☐ Allocation Transfer-Out

Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:
☒ Monthly ☐ Quarterly ☐ Upon Completion of Work

Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.

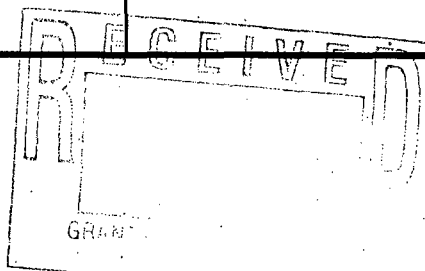
Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26. ☐ Reimbursement Agreement
☐ Repayment
☐ Advance
☐ Allocation Transfer-In

Funding Agency's Treasury Symbol ☐ One-Year ☐ Two-Year ☐ No-Year

Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No.

Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency



Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - B

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

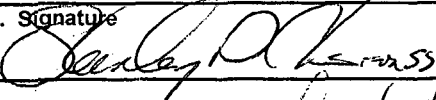

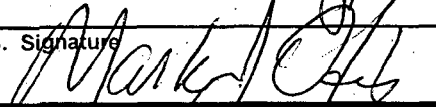
30. Organization/Address

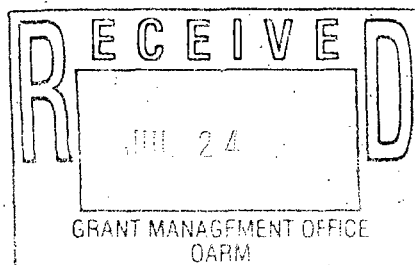
US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature 	Typed Name and Title Susan Studlien, Acting Dir. Office of Site Remediation & Restoration	Date 7/7/03
Action on Behalf of the Environment Protection Agency		
32. Signature 	Typed Name and Title James T. Owens, Acting Director Office of Administration & Resource Management	Date 7/7/03
Authorizing Official on Behalf of the Other Agency		
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 7/16/03





United States Environmental
Protection Agency
Washington, DC 20460

Interagency Agreement


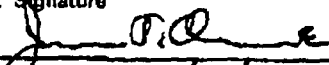
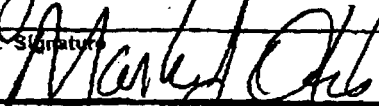
Amendment

Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - C		4. Funding Location by Region EPA R1							
2. Other Agency IAG ID Number		5. Program Office Abbreviation Region 1							
3. Type of Action Augmentation: Increase									
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894		7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS:							
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Major (Amendment Req.); Increase funding									
9. EPA Project Officer (Name, Address, Phone Number) Mike McGagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425							
11. Project Period 02/01/99 to 01/31/2007		12. Budget Period 02/01/99 to 01/31/2007							
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is Cheryl Scott. 617-918-1174									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115			15. Other Agency Type Federal Agency						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$65,228,719	\$325,000	\$65,553,719						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$65,228,719	\$325,000	\$65,553,719						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP011	2003	TR2B	1A00R	50102D	2507	0143RA01	C003	325,000
									325,000

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - C
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$9,920,700
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$325,000	\$55,633,019
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$325,000	\$65,553,719
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$325,000	\$65,553,719
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Extramural Agreement <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	55633019 Total \$ 55,633,019.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement <input checked="" type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-Out		
Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.		
26. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-In		
Funding Agency's Treasury Symbol <input type="checkbox"/> One-Year <input type="checkbox"/> Two-Year <input type="checkbox"/> No-Year		
Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency

EPA IAG Identification No. DW-95-94018901 - C Page 3

Part IV - Acceptance Conditions		EPA Identification Number DW-95-94018901 - C
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023		30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title Susan Studlien, Acting Dir. Office of Site Remediation & Restoration	Date 9/26/03
Action on Behalf of the Environment Protection Agency		
32. Signature 	Typed Name and Title James T. Owens, Acting Director Office of Administration & Resource Management	Date 9/26/03
Authorizing Official on Behalf of the Other Agency		
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 9/26/03

A Form 1610-1 (Rev. 10-88) Previous editions are obsolete.

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages = 1

To	MIKE MCGAGH	From	MARK OTIS
Dept./Agency	EPA	Phone #	978-318-8895
Fax	617-918-0428	Fax #	

NSN 7540-01-317-7368

5099-101

GENERAL SERVICES ADMINISTRATION



United States Environmental
Protection Agency
Washington, DC 20460

Interagency Agreement

Amendment

Part 1 - General Information

1. EPA IAG Identification Number
DW-96-94018901 - D

4. Funding Location by Region
EPA R1

2. Other Agency IAG ID Number

5. Program Office
Abbreviation
Region 1

3. Type of Action
Augmentation: Increase

6. Name and Address of EPA Organization
US Environmental Protection Agency
Contracts Management Section, HBS
1 Congress Street, Suite 1100
Boston, MA 02114-2023
DUNS: 029128894

7. Name and Address of Other Agency
Corps of Engineers-Omaha HTRW CX
12565 West Center Road
Omaha, NE 68144-3869
DUNS: Exempt

8. Project Title and Description
Remedial Action for clean-up of Upper and Lower Harbor at
New Bedford Superfund Site, New Bedford, MAD980731335.
Major (Amendment Req.); Increase funding

9. EPA Project Officer (Name, Address, Phone Number)
Mike McGagh
1 Congress Street, Suite 1100
Boston, MA 02114-2023
617-918-1428

10. Other Agency Project Officer (Name, Address, Phone Number)
Marvene Seaman
12565 West Center Road
Omaha, NE 68144-3869
402-697-2425

11. Project Period
02/01/99 to 01/31/2007

12. Budget Period
02/01/99 to 01/31/2007

13. Scope of Work
Please refer to existing Scope of Work
EPA Grants Specialist for this IAG is Cheryl Scott 617-918-1174

14. Statutory Authority for Both Transfer of Funds and Project Activities
CERCLA: Secs. 105(A)(4) & 115

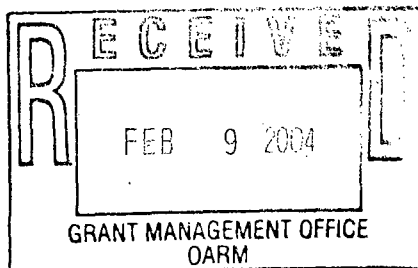
15. Other Agency Type
Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$65,553,719	\$6,913,000	\$72,466,719
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$65,553,719	\$6,913,000	\$72,466,719

21. Fiscal

Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP001	2004	TR1	1A00R	302DD2E	2507	0143RA01	C003	1,913,000
	RAP002	2004	T	1A00R	302DD2E	2507	0143RA01	C003	5,000,000
									6,913,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.



Part II - Approved Budget

EPA IAG Identification Number

DW-96-94018901 - D

22. Budget Categories

Itemization of
This ActionItemization of Total Project
Estimated Cost to Date

a) Personnel	\$500,000	\$10,420,700
b) Fringe Benefits		\$0
c) Travel		\$0
d) Equipment		\$0
e) Supplies		\$0
f) Procurement / Assistance	\$6,413,000	\$62,046,019
g) Construction		\$0
h) Other		\$0
i) Total Direct Charges	\$6,913,000	\$72,466,719
j) Indirect Costs: Rate % Base \$	\$0	\$0
k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$6,913,000	\$72,466,719

23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes ☒ No

(Identify all equipment costing \$1,000 or more)

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes ☐ NoType of Extramural Agreement ☐ Grant ☐ Cooperative Agreement ☒ Procurement

Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	62046019 Total \$ 62,046,019.00	100

Part III - Funding Methods and Billing Instructions

(Note: EPA Agency Location Code (ALC) - 68010727)

25. ☒ Disbursement Agreement

☒ Repayment ☒ Monthly ☐ Quarterly ☐ Upon Completion of Work

☐ Advance

☐ Allocation Transfer-Out

Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:

Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.

Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26. ☐ Reimbursement Agreement

☐ Repayment ☐ Advance

☐ Allocation Transfer-In

Funding Agency's Treasury Symbol ☐ One-Year ☐ Two-Year ☐ No-Year

Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No.

Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - D

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

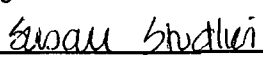
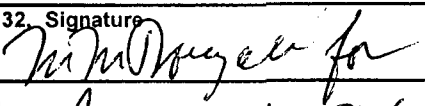
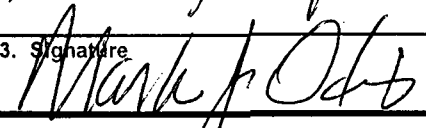
30. Organization/Address

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature 	Typed Name and Title Susan Studien, Dir. Office of Site Remediation & Restoration	Date 01/13/04
Action on Behalf of the Environment Protection Agency		
32. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Administration and Resource Mgmt.	Date 1/14/04
Authorizing Official on Behalf of the Other Agency		
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 1/29/04



United States Environmental
Protection Agency
Washington, DC 20460

Interagency Agreement

Amendment

Part 1 - General Information

1. EPA IAG Identification Number
DW-96-94018901 - E

4. Funding Location by Region
EPA R1

2. Other Agency IAG ID Number

5. Program Office
Abbreviation
Region 1

3. Type of Action
Augmentation: Increase

6. Name and Address of EPA Organization
US Environmental Protection Agency
Contracts Management Section, HBS
1 Congress Street, Suite 1100
Boston, MA 02114-2023
DUNS: 029128894

7. Name and Address of Other Agency
Corps of Engineers-Omaha HTRW CX
12565 West Center Road
Omaha, NE 68144-3869
DUNS: 000960506

8. Project Title and Description
Remedial Action for clean-up of Upper and Lower Harbor at
New Bedford Superfund Site, New Bedford, MAD980731335.
Increase Funding by \$5,000,000.

9. EPA Project Officer (Name, Address, Phone Number)
Mike Mcgagh
1 Congress Street, Suite 1100
Boston, MA 02114-2023
617-918-1428

10. Other Agency Project Officer (Name, Address, Phone Number)
Marvene Seaman
12565 West Center Road
Omaha, NE 68144-3869
402-697-2425

11. Project Period
02/01/99 to 01/31/2007

12. Budget Period
02/01/99 to 01/31/2007

13. Scope of Work
Please refer to existing Scope of Work
EPA Grants Specialist for this IAG is: Cheryl Scott 617-918-1174

14. Statutory Authority for Both Transfer of Funds and Project Activities
CERCLA: Secs. 105(A)(4) & 115

15. Other Agency Type
Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$72,466,719	\$5,000,000	\$77,466,719
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$72,466,719	\$5,000,000	\$77,466,719

21. Fiscal

Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP004	2004	T	1A00R	302DD2E	2507	0143RA01	C003	5,000,000
									5,000,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.



Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - E

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)**EPA Program Office (for technical assistance)****29. Organization/Address**

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

30. Organization/Address

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office**31. Signature****Typed Name and Title****Date**

Susan Studien, Dir. Office of Site Remediation & Restoration

3-13-04

Action on Behalf of the Environment Protection Agency**32. Signature****Typed Name and Title****Date**

James T. Owens, III, Dir. Office of Administration and Resource Mgmt.

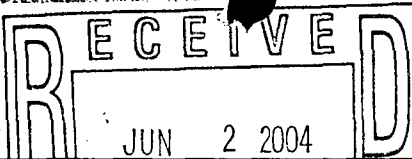
3/16/04

Authorizing Official on Behalf of the Other Agency**33. Signature****Typed Name and Title****Date**

Mark J. Otis, Chief, Environmental Project Management Branch

3/25/04

JGms 6/2/04



DWS 96940189-01-F

Page 1



United States Environmental
Protection Agency
GRANT MANAGEMENT OFFICE
Washington, DC 20460

Interagency Agreement**Amendment****Part 1 - General Information**

1. EPA IAG Identification Number DWV-96-94018901 - F		4. Funding Location by Region EPA R1							
2. Other Agency IAG ID Number		5. Program Office Abbreviation Region 1							
3. Type of Action Augmentation: Increase									
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894		7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: 000960506							
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Major (Amendment Req.): Additional Funding of \$5,090,000									
9. EPA Project Officer (Name, Address, Phone Number) Mike Mcgagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425							
11. Project Period 02/01/99 to 01/31/2007		12. Budget Period 02/01/99 to 01/31/2007							
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is Cheryl Scott 617-918-1174									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115			15. Other Agency Type Federal Agency						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$77,466,719	\$5,090,000	\$82,556,719						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$77,466,719	\$5,090,000	\$82,556,719						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP005	2004	TR2B	1A00R	302DD2C	2507	0143RA01	C003	90,000
	RAP011	2004	T	1A00R	302DD2C	2507	0143RA01	C003	5,000,000
									5,090,000

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - F
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$500,000	\$11,420,700
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$4,590,000	\$71,136,019
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$5,090,000	\$82,556,719
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$5,090,000	\$82,556,719
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Extramural Agreement <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	71136019 Total \$ 71,136,019.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Repayment <input type="checkbox"/> Advance </div> <div> <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. </div> </div> <input type="checkbox"/> Allocation Transfer-Out Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.		
26. <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-In </div> </div>		
Funding Agency's Treasury Symbol <input type="checkbox"/> One-Year <input type="checkbox"/> Two-Year <input type="checkbox"/> No-Year		
Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - F

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)**EPA Program Office (for technical assistance)****29. Organization/Address****30. Organization/Address**

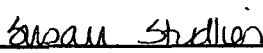

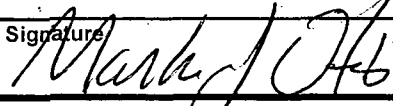
US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature 	Typed Name and Title Susan Studlien, Dir. Office of Site Remediation & Restoration	Date 05/05/04
Action on Behalf of the Environment Protection Agency		
32. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Administration and Resource Mgmt.	Date 05/10/04
Authorizing Official on Behalf of the Other Agency		
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 5/18/04

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PAGE 04/07

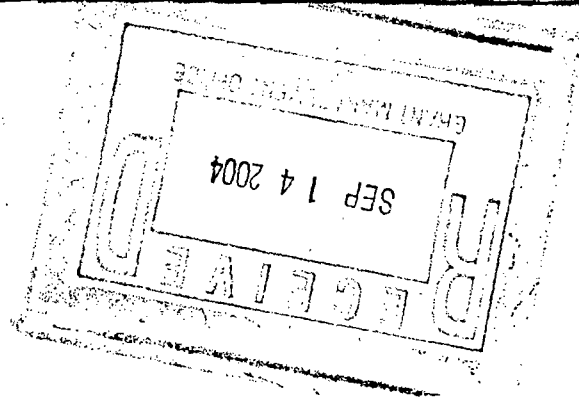
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IGms 9/15/04
cc: P.O.
Ann Frn

Page 1

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>		1. EPA IAG Identification Number DW-98-94018901 - G		4. Funding Location by Region EPA R1					
		2. Other Agency IAG ID Number		5. Program Office Abbreviation Region 1					
		3. Type of Action Augmentation: Increase							
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894			7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 2565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316						
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MA 01903-1335. Increase Funding									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-818-1425			10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 2565 West Center Road Omaha, NE 68144-3869 402-697-2425						
11. Project Period 02/01/99 to 01/31/2007			12. Budget Period 02/01/99 to 01/31/2007						
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is Cheryl Scott 617-818-1174									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 116			15. Other Agency Type Federal Agency						
Funds		Previous Amount	Amount This Action		Amended Total				
16. EPA Amount		\$82,556,719	\$113,541		\$82,670,260				
17. EPA In-Kind Amount		\$0			\$0				
18. Other Agency Amount		\$0			\$0				
19. Other Agency In-Kind Amt.		\$0			\$0				
20. Total Project Cost		\$82,556,719	\$113,541		\$82,670,260				
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP006	2004	TR1	1A00R	302DD2C	2507	0143RA01	C003	87,773
	RUP013	2004	TR2	1A00R	302DD2C	2507	0143RA01	C003	9,768
	RUP013	2004	TR2B	1A00R	302DD2C	2507	0143RA01	C003	16,000
									113,541

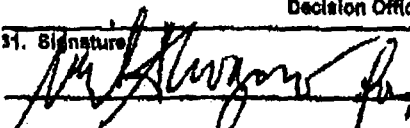
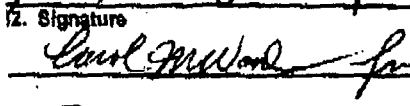
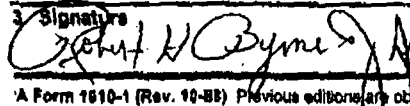
IA Form 1810-1 (Rev. 10-88). Previous editions are obsolete.




EPA IAG Identification No. DW-96-94018901 - G Page 2

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - G
22. Budget Categories		Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$11,420,700
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$113,541	\$71,249,560
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$113,541	\$82,670,260
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$113,541	\$82,670,260
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Extramural Agreement <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	71249560 Total \$ 71,249,560.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:	
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work	
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.	
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Controller, Budget Division, Budget Formulation and Control Branch, EPA Hqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
<input type="checkbox"/> Reimbursement Agreement		
<input type="checkbox"/> Repayment		
<input type="checkbox"/> Advance		
<input type="checkbox"/> Allocation Transfer-In		
Funding Agency's Treasury Symbol	<input type="checkbox"/> One-Year <input type="checkbox"/> Two-Year <input type="checkbox"/> No-Year	
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (Include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency	

EPA IAG Identification No. DW-96-94018901 - G Page 3

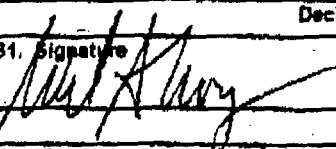
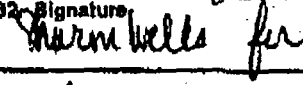
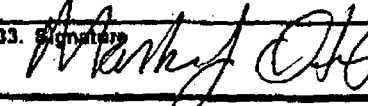
Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - G
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA RI Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023		30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environmental Protection Agency Program Office		
31. Signature 	Typed Name and Title Susan Studien, Dir. Office of Site Remediation & Restoration Action on Behalf of the Environmental Protection Agency	Date 9-1-04
32. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Administration and Resource Mgmt. Authorizing Official on Behalf of the Other Agency	Date 9-3-04
3. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 9/14/04

TO C. Scott
Fax to C. Scott
9/24/04

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>		1. EPA IAG Identification Number DW-96-94018901 - H		4. Funding Location by Region EPA R1					
		2. Other Agency IAG ID Number		5. Program Office Abbreviation Region 1					
		3. Type of Action Augmentation: Increase							
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894			7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316						
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Add additional \$1,949,842 in funding to agreement.									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425			10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425						
11. Project Period 02/01/99 to 01/31/2007			12. Budget Period 02/01/99 to 01/31/2007						
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is Cheryl Scott 617-918-1174									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115					15. Other Agency Type Federal Agency				
Funds		Previous Amount		Amount This Action		Amended Total			
16. EPA Amount		\$82,670,260		\$1,949,842		\$84,620,102			
17. EPA In-Kind Amount		\$0				\$0			
18. Other Agency Amount		\$0				\$0			
19. Other Agency In-Kind Amt.		\$0				\$0			
20. Total Project Cost		\$82,670,260		\$1,949,842		\$84,620,102			
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP007	2004	TR1	1A00R	302DD2C	2507	0143RA01	C003	1,949,842
									1,949,842

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - H
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$11,420,700
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$1,949,842	\$73,199,402
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$1,949,842	\$84,620,102
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$1,949,842	\$84,620,102
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Extramural Agreement <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	73199402 Total \$ 73,199,402.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Repayment <input type="checkbox"/> Advance </div> <div> Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. </div> </div> <input type="checkbox"/> Allocation Transfer-Out		
26. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-In		
Funding Agency's Treasury Symbol <input type="checkbox"/> One-Year <input type="checkbox"/> Two-Year <input type="checkbox"/> No-Year		
Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency

EPA IAG Identification No. DW-96-94018901 - H Page 3

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - H
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023		30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title Susan Studien, Dir. Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency	Date 9-22-04
32. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Administration and Resource Mgmt.	Date 9-22-04
Authorizing Official on Behalf of the Other Agency		
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 9-23-04

EPA Form 1610-1 (Rev. 10-88) Previous editions are obsolete.

OPTIONAL FORM 99 (7-80)

FAX TRANSMITTAL

of pages - 2

To	Memo DiNardo	From	Mark Otis
Dept./Agency	EPA	Phone	978.318-8095
Fax #	617 918-0425	Fax #	


NSN 7540-01-317-7368

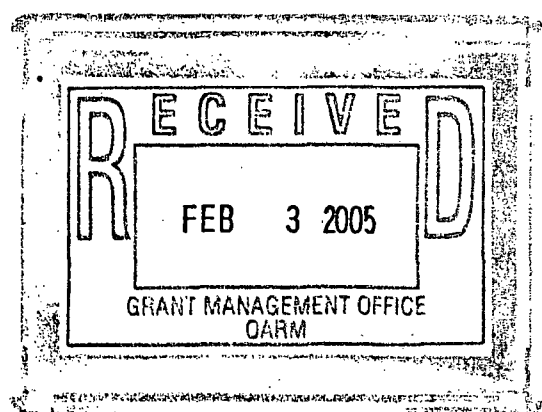
5089-101

GENERAL SERVICES ADMINISTRATION

CC: PO
 Ann Fin
 IGms
 2/10/05

DW 969 40189-01-I

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - I	4. Funding Location by Region EPA R1							
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1							
	3. Type of Action Augmentation: Increase								
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316								
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Increase Funding. Extend Project and Budget Period;									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425								
11. Project Period 02/01/99 to 10/31/2007	12. Budget Period 02/01/99 to 10/31/2007								
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is Cheryl Scott 617-918-1174									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115		15. Other Agency Type Federal Agency							
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$84,620,102	\$36,559	\$84,656,661						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$84,620,102	\$36,559	\$84,656,661						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP001	2005	TR2B	1A00R	302DD2C	2507	0143RA01	C003	36,559
									36,559



Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - I
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$11,420,700
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$36,559	\$73,235,961
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$36,559	\$84,656,661
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$36,559	\$84,656,661
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more)		<input checked="" type="checkbox"/> No
24. Are any of these funds being used on extramural agreements? (See Item 22f.)		<input checked="" type="checkbox"/> Yes
Type of Extramural Agreement		<input checked="" type="checkbox"/> Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	73235961 Total \$ 73,235,961.00	100
Part III - Funding Methods and Billing Instructions		
(Note: EPA Agency Location Code (ALC) - 68010727)		
25.	<input checked="" type="checkbox"/> Disbursement Agreement <input checked="" type="checkbox"/> Repayment	
	<p>Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:</p> <p><input checked="" type="checkbox"/> Monthly</p> <p>Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.</p> <p>Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.</p>	
26.		
Funding Agency's Treasury Symbol		
Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - I

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

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EPA IAG Administration Office (for administrative assistance)**EPA Program Office (for technical assistance)****29. Organization/Address**

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

30. Organization/Address

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office**31. Signature**

Susan Studlien

Typed Name and Title

Susan Studlien, Dir. Office of Site Remediation & Restoration

Date

01/07/05

Action on Behalf of the Environment Protection Agency**32. Signature**

James T. Owens, III

Typed Name and Title

James T. Owens, III, Dir. Office of Administration and Resource Mgmt.

Date

1/18/05

Authorizing Official on Behalf of the Other Agency**33. Signature**

Mark J. Otis

Typed Name and Title


Mark J. Otis, Chief, Environmental Project Management Branch

Date

1/21/05

DW 96940189-01-J


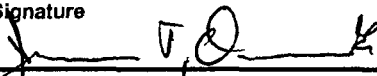
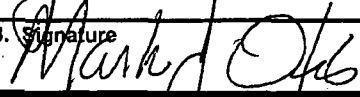
Page 1

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>		<p>1. EPA IAG Identification Number DW-96-94018901 - J</p>	<p>4. Funding Location by Region EPA R1</p>																														
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<p>8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Major (Amendment Req.); Increase in funds to support existing scope of work</p>																																	
<p>9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425</p>		<p>10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425</p>																															
<p>11. Project Period 02/01/99 to 10/31/2007</p>		<p>12. Budget Period 02/01/99 to 10/31/2007</p>																															
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<table border="1"> <thead> <tr> <th>Funds</th> <th>Previous Amount</th> <th>Amount This Action</th> <th>Amended Total</th> </tr> </thead> <tbody> <tr> <td>16. EPA Amount</td> <td>\$84,656,661</td> <td>\$4,585,000</td> <td>\$89,241,661</td> </tr> <tr> <td>17. EPA In-Kind Amount</td> <td>\$0</td> <td></td> <td>\$0</td> </tr> <tr> <td>18. Other Agency Amount</td> <td>\$0</td> <td></td> <td>\$0</td> </tr> <tr> <td>19. Other Agency In-Kind Amt.</td> <td>\$0</td> <td></td> <td>\$0</td> </tr> <tr> <td>20. Total Project Cost</td> <td>\$84,656,661</td> <td>\$4,585,000</td> <td>\$89,241,661</td> </tr> </tbody> </table>				Funds	Previous Amount	Amount This Action	Amended Total	16. EPA Amount	\$84,656,661	\$4,585,000	\$89,241,661	17. EPA In-Kind Amount	\$0		\$0	18. Other Agency Amount	\$0		\$0	19. Other Agency In-Kind Amt.	\$0		\$0	20. Total Project Cost	\$84,656,661	\$4,585,000	\$89,241,661						
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<p>21. Fiscal</p> <table border="1"> <thead> <tr> <th>Site Name</th> <th>DCN</th> <th>FY</th> <th>Approp.</th> <th>Budget Org.</th> <th>PRC</th> <th>Object</th> <th>Site/Project</th> <th>Cost Org.</th> <th>Obligation</th> </tr> </thead> <tbody> <tr> <td></td> <td>RAP002</td> <td>2005</td> <td>T</td> <td>1A00R</td> <td>302DD2C</td> <td>2507</td> <td>0143RA01</td> <td>C003</td> <td>4,585,000</td> </tr> <tr> <td colspan="9"></td> <td>4,585,000</td> </tr> </tbody> </table>				Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation		RAP002	2005	T	1A00R	302DD2C	2507	0143RA01	C003	4,585,000										4,585,000
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									4,585,000																								

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.


	<u>Previous</u>	<u>Increase</u>	<u>Revised</u>
Revised Reimbursable	11,420,700	350,000	11,770,700
Direct Fund Costs	73,235,961	4,235,000	77,470,961

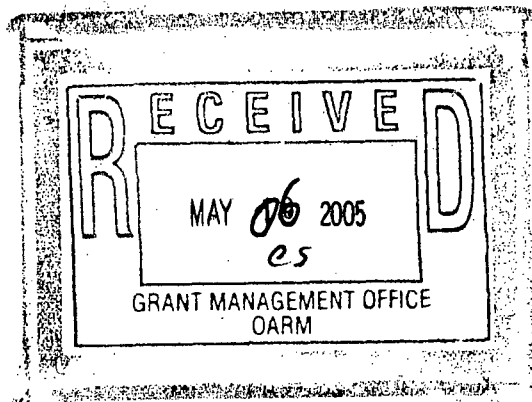
Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - J
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$350,000	\$11,770,700
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$4,235,000	\$77,470,961
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$4,585,000	\$89,241,661
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$4,585,000	\$89,241,661
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes		
Type of Extramural Agreement		<input checked="" type="checkbox"/> Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	77470961 Total \$ 77,470,961.00	1
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement: Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: <input checked="" type="checkbox"/> Repayment <input checked="" type="checkbox"/> Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.		
26.		
Funding Agency's Treasury Symbol		
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency Monthly	

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - J
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed) 		
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Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.		
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EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023	30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023	
Certification		
All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title Susan Studlien, Dir. Office of Site Remediation & Restoration	Date 02/02/05
Action on Behalf of the Environment Protection Agency		
32. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Administration and Resource Mgmt.	Date 2/3/05
Authorizing Official on Behalf of the Other Agency		
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 2/3/05

IGms 5/13/05
CCI PO
Cincinnati

DUS 96940189-01-K

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - K	4. Funding Location by Region EPA R1
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1
	3. Type of Action No Cost Amendment	
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316	
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment approves an object class rebudgeting.		
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425	
11. Project Period 02/01/1999 to 10/31/2007	12. Budget Period 02/01/1999 to 10/31/2007	
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is Cheryl Scott 617-918-1174		
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115		15. Other Agency Type Federal Agency
Funds	Previous Amount	Amount This Action
16. EPA Amount	\$89,241,661	\$0
17. EPA In-Kind Amount	\$0	\$0
18. Other Agency Amount	\$0	\$0
19. Other Agency In-Kind Amt.	\$0	\$0
20. Total Project Cost	\$89,241,661	\$89,241,661
21. Fiscal		
Site Name	DCN	FY
Approp.	Budget Org.	PRC
Object	Site/Project	Cost Org.
Obligation		



Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - K
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$600,000	\$12,370,700
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$-600,000	\$76,870,961
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$0	\$89,241,661
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$0	\$89,241,661
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes		
Type of Extramural Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	76870961 Total \$ 76,870,961.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement <input checked="" type="checkbox"/> Repayment		
Request for repayment of actual costs must be itemized on: SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: <input checked="" type="checkbox"/> Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.		
26.		
Funding Agency's Treasury Symbol		
Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency Monthly

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - K

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address**30. Organization/Address**

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office**31. Signature****Typed Name and Title****Date**

Susan Studien, Dir. Office of Site Remediation & Restoration

4/21/05

Action on Behalf of the Environment Protection Agency**32. Signature****Typed Name and Title****Date**

James T. Owens, III, Dir. Office of Administration and Resource Mgmt.

APR 22 2005

Authorizing Official on Behalf of the Other Agency**33. Signature****Typed Name and Title****Date**

Mark J. Otis, Chief, Environmental Project Management Branch

4-22-05


IGMS 7.1.05

cc: PO

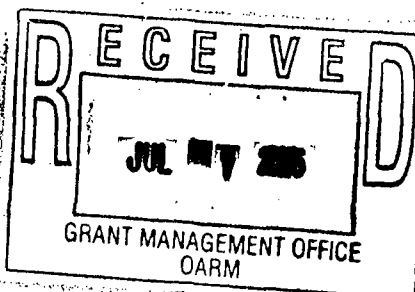
CMMC FM

DW 96840189-01-L

Page 1

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - L	4. Funding Location by Region EPA R1							
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1							
	3. Type of Action Augmentation: Increase								
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029126894	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316								
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MA 0190731335. This amendment adds \$3,915,000 funds. It changes the Grants Specialist to Mary-Ellen Stanlis									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425	10. Other Agency Project Officer (Name, Address, Phone Number) Marvane Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425								
11. Project Period 02/01/1999 to 10/31/2007	12. Budget Period 02/01/1999 to 10/31/2007								
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanlis 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115		15. Other Agency Type Federal Agency							
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$89,241,661	\$3,915,000	\$93,156,661						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$89,241,661	\$3,915,000	\$93,156,661						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP005	2005	T	1A00R	302DD2	2507	0143RA01	C003	3,915,000
									3,915,000

EPA Form 1010-1 (Rev. 10-88). Previous editions are obsolete.



Part II - Approved Budget		EPA IAG Identification Number DW-98-94018901 - L
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$415,000	\$12,765,700
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$3,800,000	\$80,370,961
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$3,915,000	\$93,156,661
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$3,915,000	\$93,156,661
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more)		<input checked="" type="checkbox"/> No
24. Are any of these funds being used on extramural agreements? (See Item 22f.)		<input checked="" type="checkbox"/> Yes
Type of Extramural Agreement		<input checked="" type="checkbox"/> Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	80370981 Total \$ 80,370,961.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:	
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly	
	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.	
	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
Funding Agency's Treasury Symbol		
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (Include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency	
	Monthly	

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - L

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)**EPA Program Office (for technical assistance)****29. Organization/Address**

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

30. Organization/Address

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office**31. Signature****Typed Name and Title****Date**

Susan Studlen, Dir. Office of Site Remediation & Restoration

6-7-05

Action on Behalf of the Environment Protection Agency**32. Signature****Typed Name and Title****Date**

James T. Owens, III, Dir. Office of Administration and Resource Mgmt.

6/8/05

Authorizing Official on Behalf of the Other Agency**33. Signature****Typed Name and Title****Date**

Mark J. Otis, Chief, Environmental Project Management Branch

6/17/05

FAX TRANSMITTAL

of pages **3**

To: Filomena DiNardo	From: Mark Otis
Dept./Agency: EPA	Phone #: 978.318.8895
Fax #: 617.918.0425	Fax #:

NSN 7540-01-317-7368

5099-101

GENERAL SERVICES ADMINISTRATION

12 9162 40122 - 01-12

Page 1



United States Environmental Protection Agency
Washington, DC 20460
Interagency Agreement
Amendment
Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - M		4. Funding Location by Region EPA R1							
2. Other Agency IAG ID Number		5. Program Office Abbreviation Region 1							
3. Type of Action Augmentation: Increase									
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894		7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316							
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment adds \$6,550,000 funds.									
9. EPA Project Officer (Name, Address, Phone Number) Filomena DiNardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425							
11. Project Period 02/01/1999 to 10/31/2007		12. Budget Period 02/01/1999 to 10/31/2007							
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115			15. Other Agency Type Federal Agency						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$93,156,661	\$6,550,000	\$99,706,661						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$93,156,661	\$6,550,000	\$99,706,661						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP009	2005	T	1A00R	302DD2C	2507	0143RA01	C003	6,550,000
									6,550,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

	<u>Previous Amt</u>	<u>Increase</u>	<u>Revised Amt</u>
Revised Reimbursable:	12,785,700	450,000	13,235,700
Direct Fund Cost	10,370,961	6,100,000	86,470,961

EPA IAG Identification No. DW-96-94018901 - M Page 2

Part II - Approved BudgetEPA IAG Identification Number
DW-96-94018901 - M**22. Budget Categories**Itemization of
This ActionItemization of Total Project
Estimated Cost to Date

(a) Personnel	\$450,000	\$13,235,700
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$6,100,000	\$86,470,961
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$6,550,000	\$99,706,661
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$6,550,000	\$99,706,661

23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☒ No

(Identify all equipment costing \$1,000 or more)

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes

Type of Extramural Agreement

☒ Procurement

Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	86470961 Total \$ 86,470,961.00	100

Part III - Funding Methods and Billing Instructions

25. (Note: EPA Agency Location Code (ALC) - 68010727)

<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26.

Funding Agency's Treasury Symbol

Other Agency's IAG Identification Number

EPA Program Office Allowance Holder/Resp. Center No.

Other Agency's Billing Address (include ALC or Station Symbol Number)

Other Agency's Billing Instructions and Frequency

Monthly

EPA IAG Identification No. DW-96-94018901 - M Page 3

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - M

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)**EPA Program Office (for technical assistance)****29. Organization/Address**

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

30. Organization/Address

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office**31. Signature****Typed Name and Title****Date**

Susan Studien, Dir. Office of Site Remediation & Restoration

7/8/05

Action on Behalf of the Environment Protection Agency**32. Signature****Typed Name and Title****Date**

James T. Owens, III, Dir. Office of Administration and Resource Mgmt.


7/12/05

Authorizing Official on Behalf of the Other Agency**33. Signature****Typed Name and Title****Date**

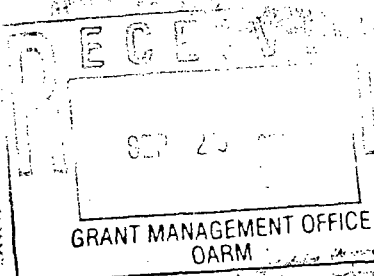
Mark J. Otis, Chief, Environmental Project Management Branch

7/21/05

ITEMS 29 Sept 05
CC: PO
Cmcm Fin
Page 1

 United States Environmental Protection Agency Washington, DC 20460 Interagency Agreement Amendment Part 1 - General Information	1. EPA IAG Identification Number DW-96-94018901 - N	4. Funding Location by Region EPA R1							
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1							
	3. Type of Action Augmentation; Increase								
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128694	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316								
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Thius amendment adds \$4,152,043 to the funding									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425								
11. Project Period 02/01/1999 to 10/31/2007	12. Budget Period 02/01/1999 to 10/31/2007								
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115		15. Other Agency Type Federal Agency							
Funds	Previous Amount	Amount This Action							
16. EPA Amount	\$99,706,861	\$4,152,043							
17. EPA In-Kind Amount	\$0	\$0							
18. Other Agency Amount	\$0	\$0							
19. Other Agency In-Kind Amt.	\$0	\$0							
20. Total Project Cost	\$99,706,861	\$4,152,043							
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP017	2005	TCD	1A00R	302DD2C	2507	0143RA01	C003	3,331,478
	RAP017	2005	T	1A00R	302DD2C	2507	0143RA01	C003	820,565
									4,152,043

EPA Form 1810-1 (Rev. 10-88). Previous editions are obsolete.



OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages 3

To: MARYELLEN STANIS

From: MARK OTIS

Dept./Agency: EPA

Phone: 978.318.8895

Fax: 617.918.1929

Fax #

NSN 7540-01-317-7368

5099-101

GENERAL SERVICES ADMINISTRATION

SEP-28-2005 14:08

17 3 1929

617 918 1929 P.03

EPA IAG Identification No. DW-96-04018901 - N Page 2

Part II - Approved Budget		EPA IAG Identification Number DW-96-04018901 - N
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$1,050,633	\$14,286,333
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$3,101,410	\$89,572,371
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$4,152,043	\$103,858,704
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$4,152,043	\$103,858,704
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes		
Type of Extramural Agreement		<input checked="" type="checkbox"/> Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	89572371 Total \$ 89,572,371.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement <input checked="" type="checkbox"/> Repayment		
<p>Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:</p> <p><input checked="" type="checkbox"/> Monthly</p> <p>Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.</p> <p>Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.</p>		
26.		
Funding Agency's Treasury Symbol 68-20X8145		
Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency Monthly

EPA IAG Identification No. DW-96-94018901 - N Page 3

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - N

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

Part V - Offer and Acceptance

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

30. Organization/Address

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature

Typed Name and Title

Date

Susan Studlen, Dir. Office of Site Remediation & Restoration

9/28/05

Action on Behalf of the Environment Protection Agency

32. Signature

Typed Name and Title

Date

James T. Owens, III, Dir. Office of Administration and Resource Mgmt.

9/28/05

Authorizing Official on Behalf of the Other Agency

33. Signature

Typed Name and Title

Date


Mark J. Ols, Chief, Environmental Project Management Branch

9/28/05

16ms - 11 April 06
CC: PO, CMC, FM

DW 96940189-11-0

Page 1

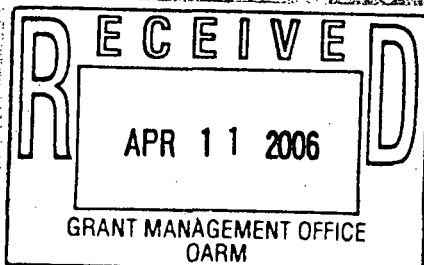
 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-98-94018901 - O	4. Funding Location by Region EPA R1							
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1							
	3. Type of Action Augmentation: Increase								
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12585 West Center Road Omaha, NE 68144-3889 DUNS: DOD961318								
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MA 01903-1335. This amendment increases this IAG by \$2,000,000. It extends the project and budget periods.									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425	10. Other Agency Project Officer (Name, Address, Phone Number) Marlene Seaman 12585 West Center Road Omaha, NE 68144-3889 402-897-2425								
11. Project Period 02/01/1999 to 10/31/2008	12. Budget Period 02/01/1999 to 10/31/2008								
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA Secs. 105(A)(4) & 115		15. Other Agency Type Federal Agency							
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$103,858,704	\$2,000,000	\$105,858,704						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$103,858,704	\$2,000,000	\$105,858,704						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP002	2006	T	1A00R	302DD2C	2507	0143RA01	C003	2,000,000
									2,000,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

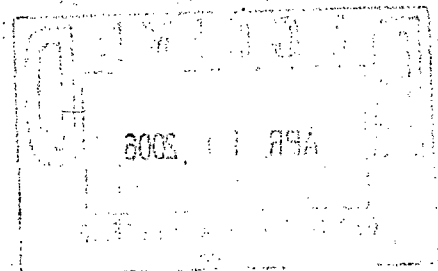
Previous Amt Increase Revised Amt

Revised Reimbursable: 14,286,333 -0- 14,286,333

Direct Fund Cto: 9,572,371 2,000,000 9,572,371



Part II - Approved Budget		EPA IAG Identification Number DW-66-94018901 - Q
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$14,286,333
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$2,000,000	\$91,572,371
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$2,000,000	\$105,858,704
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$2,000,000	\$105,858,704
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See item 22f.) <input checked="" type="checkbox"/> Yes		
Type of Extramural Agreement		<input checked="" type="checkbox"/> Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	91572371 Total \$ 91,572,371.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:	
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
Funding Agency's Treasury Symbol 68-20X8145		
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency Monthly	



Part IV - Acceptance Conditions

EPA Identification Number

DW-98-94018901 - 0

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

Part V - Offer and Acceptance

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

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2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

30. Organization/Address

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Declaration Official on Behalf of the Environment Protection Agency Program Office

31. Signature

Typed Name and Title

Date

Susan Studden, Dir. Office of Site Remediation & Restoration

3-28-06

Action on Behalf of the Environment Protection Agency

32. Signature

Typed Name and Title

Date

James T. Owens, III, Dir. Office of Administration and Resource Mgmt.

3/20/06

Authorizing Official on Behalf of the Other Agency

33. Signature


Typed Name and Title

Date

Mark J. Otis, Chief, Environmental Project Management Branch

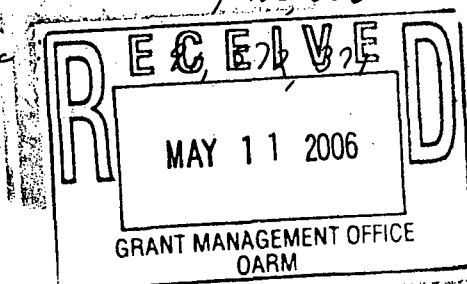
4-7-06

IGMS 15 MAY 06
CINC FM
CC: PO
DW 96840189-01-P

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - P	4. Funding Location by Region EPA R1							
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1							
	3. Type of Action Augmentation: Increase								
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316								
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG.									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425								
11. Project Period 02/01/1999 to 10/31/2008	12. Budget Period 02/01/1999 to 10/31/2008								
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115		15. Other Agency Type Federal Agency							
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$105,858,704	\$6,500,000	\$112,358,704						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$105,858,704	\$6,500,000	\$112,358,704						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP005	2006	TR2	1A00R	302DD2C	2507	0143RA01	C003	6,500,000
									6,500,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

	<u>Previous</u>	<u>Increase</u>	<u>Revised Amt</u>
Revised Reimbursement	14,286,333	500,000	14,786,333
Direct Fund Ctr		6,000,000	97,572,371



Part II - Approved Budget

EPA IAG Identification Number

DW-96-94018901 - P

22. Budget CategoriesItemization of
This ActionItemization of Total Project
Estimated Cost to Date

(a) Personnel	\$500,000	\$14,786,333
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$6,000,000	\$97,572,371
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$6,500,000	\$112,358,704
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$6,500,000	\$112,358,704

23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds?

☒ No

(Identify all equipment costing \$1,000 or more)

24. Are any of these funds being used on extramural agreements? (See Item 22f.)

☒ Yes

Type of Extramural Agreement

☒ Procurement

Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	97572371 Total \$ 97,572,371.00	100

Part III - Funding Methods and Billing Instructions

25. (Note: EPA Agency Location Code (ALC) - 68010727)

☒ Disbursement Agreement

Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:

☒ Repayment☒ Monthly

Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.

Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26.

Funding Agency's Treasury Symbol 68-20X8145

Other Agency's IAG Identification Number

EPA Program Office Allowance Holder/Resp. Center No.

Other Agency's Billing Address (include ALC or Station Symbol Number)

Other Agency's Billing Instructions and Frequency

Monthly

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - P

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

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EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

30. Organization/Address

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office**31. Signature**

Typed Name and Title

Date

Susan Studien, Dir. Office of Site Remediation & Restoration

4-25-06

Action on Behalf of the Environment Protection Agency**32. Signature**

Typed Name and Title

Date

James T. Owens, III, Dir. Office of Administration and Resource Mgmt.

7/27/06

Authorizing Official on Behalf of the Other Agency**33. Signature**

Typed Name and Title

Date

Mark J. Otis, Chief, Environmental Project Management Branch

5-5-05

FAX TRANSMITTAL

of pages **3**


To Filomena Dinardo	From Mark Ofus
Dept./Agency	Phone # 978.318.8895
Fax # 617.918.0425	Fax #

NSN 7540-01-317-7368 5089-101 GENERAL SERVICES ADMINISTRATION

IGMS 20 July 06
cc: PO cmen fm

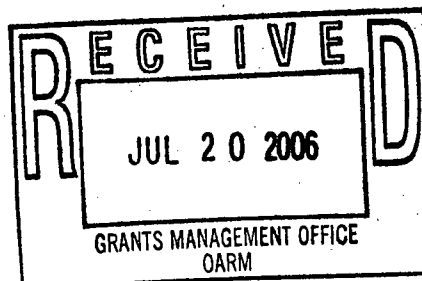
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Page 1

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-98-94018901 - Q	4. Funding Location by Region EPA R1
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1
	3. Type of Action Augmentation: Increase	
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 028128894	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: D0D961316	
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Herbor at New Bedford Superfund Site, New Bedford, MA 0190731335. This amendment increases this IAG by \$5,100,000		
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425	10. Other Agency Project Officer (Name, Address, Phone Number) Marvane Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425	
11. Project Period 02/01/1999 to 10/31/2008	12. Budget Period 02/01/1999 to 10/31/2008	
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stan's 617-918-1173		
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115		15. Other Agency Type Federal Agency
Funds	Previous Amount	Amount This Action
16. EPA Amount	\$112,358,704	\$5,100,000
17. EPA In-Kind Amount	\$0	\$0
18. Other Agency Amount	\$0	\$0
19. Other Agency In-Kind Amt.	\$0	\$0
20. Total Project Cost	\$112,358,704	\$5,100,000
21. Fiscal		
Site Name	DCN	FY
	RAP009	2006
Approp.	T	Budget Org.
		1A00R
PRC	302DD2C	Object
		2507
Site/Project	0143RA01	Cost Org.
		C003
Obligation	5,100,000	
	5,100,000	

EPA Form 1610-1 (Rev. 10-95). Previous editions are obsolete.

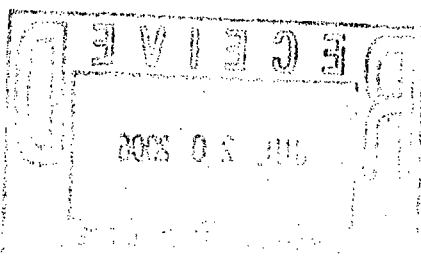
	<u>Previous</u>	<u>Increase</u>	<u>Revised Amt</u>
Revised Reimbursement:	14,786,333	100,000	14,886,333
Direct Fund Cita:	97,572,371	5,000,000	102,572,371



EPA IAG Identification No. DW-98-94018901 - Q Page 2

Part II - Approved Budget		EPA IAG Identification Number DW-98-94018901 - Q
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$100,000	\$14,888,333
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$5,000,000	\$102,572,371
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$5,100,000	\$117,458,704
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$5,100,000	\$117,458,704
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes		
Type of Extramural Agreement		<input checked="" type="checkbox"/> Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	102572371 Total, \$ 102,572,371.00	100
Part III - Funding Methods and Billing Instructions		
(Note: EPA Agency Location Code (ALC) - 68010727)		
25.		
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:	
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
Funding Agency's Treasury Symbol 66-20X8145		
Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (Include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency Monthly

EPA Form 1010-1 (Rev. 10-96). Previous editions are obsolete.



EPA IAG Identification No. DW-96-94018801 - Q Page 3

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018801 - Q

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)**Part V - Offer and Acceptance**

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

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EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R1
Grants Management Office
1 Congress Street, Suite 1100
Boston, MA 02114-2023

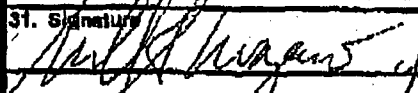
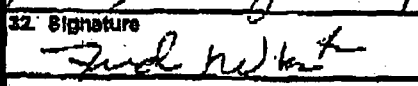
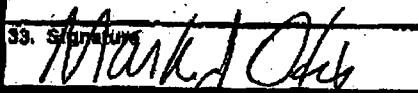
30. Organization/Address

US Environmental Protection Agency
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023


Certification

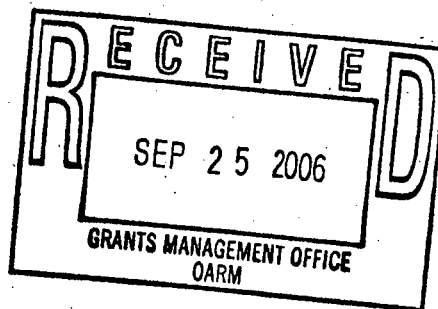
All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature 	Typed Name and Title Susan Studien, Dir. Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency	Date 7-12-06
32. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Administration and Resource Mgmt. Authorizing Official on Behalf of the Other Agency	Date 7/14/06
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 7-20-06

16ms 25 Sept
cc: PO c.m.c.m fm

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - R	4. Funding Location by Region EPA R1							
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1							
	3. Type of Action Augmentation: Increase								
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316								
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9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425	10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425								
11. Project Period 02/01/1999 to 10/31/2008	12. Budget Period 02/01/1999 to 10/31/2008								
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is: MaryEllen Stanis 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115		15. Other Agency Type Federal Agency							
Funds	Previous Amount	Amount This Action							
16. EPA Amount	\$117,458,704	\$1,754,161							
17. EPA In-Kind Amount	\$0	\$0							
18. Other Agency Amount	\$0	\$0							
19. Other Agency In-Kind Amt.	\$0	\$0							
20. Total Project Cost	\$117,458,704	\$1,754,161							
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP019	2006	TCD	1A00R	302DD2C	2507	0143RA01	C003	1,754,161
									1,754,161



Part II - Approved Budget

22. Budget Categories		EPA IAG Identification Number DW-96-94018901 - R
	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$100,000	\$14,986,333
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$1,654,161	\$104,226,532
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$1,754,161	\$119,212,865
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$1,754,161	\$119,212,865

23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☒ No

(Identify all equipment costing \$1,000 or more)

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes

Type of Extramural Agreement ☒ Procurement

Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	104226532 Total \$ 104,226,532.00	100

Part III - Funding Methods and Billing Instructions

25. (Note: EPA Agency Location Code (ALC) - 68010727)

☒ Disbursement Agreement

☒ Repayment

Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:

☒ Monthly

Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.

Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26.

Funding Agency's Treasury Symbol 68-20X8145



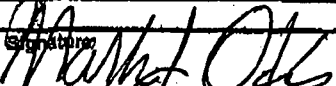
Other Agency's IAG Identification Number

EPA Program Office Allowance Holder/Resp. Center No.

Other Agency's Billing Address (include ALC or Station Symbol Number)


Other Agency's Billing Instructions and Frequency

Monthly

Part IV - Acceptance Conditions		EPA Identification Number DW-88-94018801 - R
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
<p align="center">Part V - Offer and Acceptance</p> <p>Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature.</p> <p>Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.</p>		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023		30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
<p align="center">Certification</p> <p>All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.</p>		
<p align="center">Decision Official on Behalf of the Environment Protection Agency Program Office</p>		
31. Signature 	Typed Name and Title Susan Studien, Dir. Office of Site Remediation & Restoration	Date 9/18/06
<p align="center">Action on Behalf of the Environment Protection Agency</p>		
32. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Administration and Resource Mgmt.	Date 9/18/06
<p align="center">Authorizing Official on Behalf of the Other Agency</p>		
33. Signature 	Typed Name and Title Mark J. Ote, Chief, Environmental Project Management Branch	Date 9-20-06

FAXED:
Cincinnati - 1/19/07

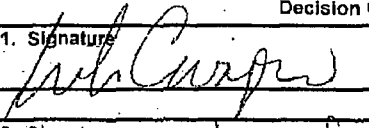
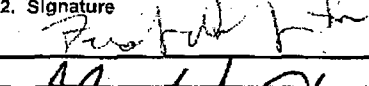

Page 1

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>		1. EPA IAG Identification Number DW-96-94018901 - S	4. Funding Location by Region EPA R1						
		2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1						
		3. Type of Action Augmentation: Increase							
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894		7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316							
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$1,757,248.									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425							
11. Project Period 02/01/1999 to 10/31/2008		12. Budget Period 02/01/1999 to 10/31/2008							
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115			15. Other Agency Type Federal Agency						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$119,212,865	\$1,757,248	\$120,970,113						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$119,212,865	\$1,757,248	\$120,970,113						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP004	2007	T	1A00R	302DD2C	2507	0143RA01	C003	1,500,000
	RUP001	2007	TR2B	1A00R	302DD2C	2507	0143RA01	C003	257,248
									1,757,248


EPA IAG Identification No. DW-96-94018901 - S Page 2

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - S
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$14,986,333
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$1,757,248	\$105,983,780
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$1,757,248	\$120,970,113
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$1,757,248	\$120,970,113
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes		
Type of Extramural Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	105983780 Total: \$ 105,983,780.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF-1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:	
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
Funding Agency's Treasury Symbol 68-20X8145		
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency Monthly	

EPA IAG Identification No. DW-96-94018901 - S Page 3

Part IV - Acceptance Conditions		EPA Identification Number
		DW-96-94018901 - S
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA IAG Administration Office (for administrative assistance) 29. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023 EPA Program Office (for technical assistance) 30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023		
Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Site Remediation and Restoration Action on Behalf of the Environment Protection Agency	Date 1-16-07
32. Signature 	Typed Name and Title Linda Murphy, Dir. Office of Admin. & Resource Management Authorizing Official on Behalf of the Other Agency	Date 1/18/07
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 1-18-07

Page 1

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>		<p>1. EPA IAG Identification Number DW-96-94018901 - T</p>	<p>4. Funding Location by Region EPA R1</p>						
		<p>2. Other Agency IAG ID Number</p>	<p>5. Program Office Abbreviation Region 1</p>						
		<p>3. Type of Action Augmentation: Increase</p>							
<p>6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894</p>		<p>7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316</p>							
<p>8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$7,124,500 and it extends the project and budget periods.</p>									
<p>9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425</p>		<p>10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425</p>							
<p>11. Project Period 02/01/1999 to 12/31/2009</p>		<p>12. Budget Period 02/01/1999 to 12/31/2009</p>							
<p>13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173</p>									
<p>14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115</p>			<p>15. Other Agency Type Federal Agency</p>						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$120,970,113	\$7,124,500	\$128,094,613						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$120,970,113	\$7,124,500	\$128,094,613						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP009	2007	T	1A00R	302DD2C	2507	0143RA01	C003	6,999,417
	RAP009	2007	TC	1A00R	302DD2C	2507	0143RA01	C003	583
	RUP007	2007	TR2B	1A00R	302DD2C	2507	0143RA01	C003	124,500
									7,124,500

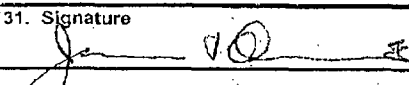
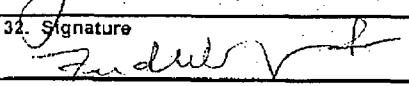
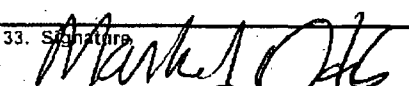
EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

TR1
 TR2
 TR2A
 TR2B } SA


EPA IAG Identification No. DW-96-94018901 - T Page 2

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - T
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$200,000	\$15,186,333
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$6,924,500	\$112,908,280
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$7,124,500	\$128,094,613
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$7,124,500	\$128,094,613
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes		
Type of Extramural Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (If known)
Foster Wheeler	112908280 Total: \$ 112,908,280.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:	
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
Funding Agency's Treasury Symbol 68-20X8145		
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency Monthly	

EPA IAG Identification No. DW-96-94018901 - T Page 3

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - T
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023		30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Site Remediation and Restoration	Date 6/1/07
Action on Behalf of the Environment Protection Agency		
32. Signature 	Typed Name and Title Linda Murphy, Dir. Office of Admin. & Resource Management	Date 6/5/07
Authorizing Official on Behalf of the Other Agency		
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 6-4-07

Page 1

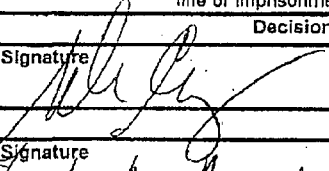
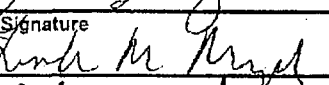
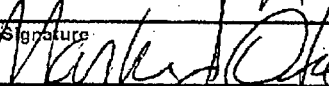
 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>		1. EPA IAG Identification Number DW-96-94018901 - U	4. Funding Location by Region EPA R1						
		2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1						
		3. Type of Action Augmentation: Increase							
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894		7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12585 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316							
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$7,500,002 and it adds the Cost Collection Upon Cancellation term & condition.									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12585 West Center Road Omaha, NE 68144-3869 402-697-2425							
11. Project Period 02/01/1999 to 12/31/2009		12. Budget Period 02/01/1999 to 12/31/2009							
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115			15. Other Agency Type Federal Agency						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$128,094,613	\$7,500,002	\$135,594,615						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$128,094,613	\$7,500,002	\$135,594,615						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP011	2007	T	1A00R	302DD2C	2507	0143RA01	COO3	6,500,000
	RAP011	2007	TCD	1A00R	302DD2C	2507	0143RA01	COO3	1,000,002
									7,500,002

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.


EPA IAG Identification No. DW-96-94018901 - U Page 2

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - U
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$400,000	\$15,586,333
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$7,100,002	\$120,008,282
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$7,500,002	\$135,594,615
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$7,500,002	\$135,594,615
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more)		<input checked="" type="checkbox"/> No
24. Are any of these funds being used on extramural agreements? (See Item 22f.)		<input checked="" type="checkbox"/> Yes
Type of Extramural Agreement		<input checked="" type="checkbox"/> Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	120008282 Total: \$ 120,008,282.00	100
Part III - Funding Methods and Billing Instructions		
(Note: EPA Agency Location Code (ALC) - 68010727)		
25.	<input checked="" type="checkbox"/> Disbursement Agreement <input checked="" type="checkbox"/> Repayment Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: <input checked="" type="checkbox"/> Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
Funding Agency's Treasury Symbol 68-20X8145		
Other Agency's IAG Identification Number		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency Monthly

EPA IAG Identification No. DW-96-94018901 - U Page 3

Part IV - Acceptance Conditions		EPA Identification Number
		DW-96-94018901 - U
27. General Conditions		
The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
Part V - Offer and Acceptance		
Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature.		
Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.		
2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address		30. Organization/Address
US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023		US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certification		
All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature	Typed Name and Title	Date
	James T. Owens, III, Dir. Office of Site Remediation and Restoration	7-26-07
Action on Behalf of the Environment Protection Agency		
32. Signature	Typed Name and Title	Date
	Linda Murphy, Dir. Office of Admin. & Resource Management	7/27/07
Authorizing Official on Behalf of the Other Agency		
33. Signature	Typed Name and Title	Date
	Mark J. Otis, Chief, Environmental Project Management Branch	8-1-07

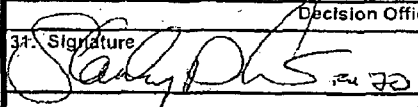
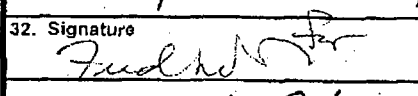
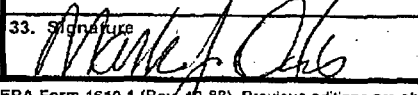
Page 1

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>	1. EPA IAG Identification Number DW-96-94018901 - V	4. Funding Location by Region EPA R1
	2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1
	3. Type of Action Augmentation: Increase	
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894		7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869 DUNS: DOD961316
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$5,000,000 and it extends the project and budget.		
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425
11. Project Period 02/01/1999 to 12/31/2019		12. Budget Period 02/01/1999 to 12/31/2019
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEilen Stanis 617-918-1173		
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115		15. Other Agency Type Federal Agency
Funds	Previous Amount	Amount This Action
16. EPA Amount	\$135,594,615	\$5,000,000
17. EPA In-Kind Amount	\$0	\$0
18. Other Agency Amount	\$0	\$0
19. Other Agency In-Kind Amt.	\$0	\$0
20. Total Project Cost	\$135,594,615	\$5,000,000
21. Fiscal		
Site Name	DCN	FY
	RAP005	2008
Approp.	Budget Org.	PRC
T	1A00R	302DD2C
Object	Site/Project	Cost Org.
2507	0143RA01	C003
		Obligation
		5,000,000

EPA IAG Identification No. DW-96-94018901 - V Page 2

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - V
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$15,586,333
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$5,000,000	\$125,008,282
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$5,000,000	\$140,594,615
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$5,000,000	\$140,594,615
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes		
Type of Extramural Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	125008282 Total, \$ 125,008,282.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement <input checked="" type="checkbox"/> Repayment		
<p>Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:</p> <p><input checked="" type="checkbox"/> Monthly</p> <p>Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.</p> <p>Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.</p>		
26.		
Funding Agency's Treasury Symbol 68-20X8145		
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency	
	Monthly	

EPA IAG Identification No. DW-96-94018901 - V Page 3

Part IV - Acceptance Conditions		EPA Identification Number
		DW-96-94018901 - V
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023	30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023	
Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Site Remediation and Restoration	Date 3/28/08
Action on Behalf of the Environment Protection Agency		
32. Signature 	Typed Name and Title Linda Murphy, Dir. Office of Admin. & Resource Management	Date 3/28/08
Authorizing Official on Behalf of the Other Agency		
33. Signature 	Typed Name and Title Mark J. Otts, Chief, Environmental Project Management Branch	Date 3/31/08

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages ► 12

To Filomena DiNardo From Mark Otis
 Dept./Agency EPA Phone 978 318 8895
 Fax # 617 918 0425 Fax #

NSN 7540-01-317-7368

5099-101

GENERAL SERVICES ADMINISTRATION

Page 1



United States Environmental
Protection Agency
Washington, DC 20460
Interagency Agreement

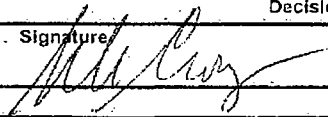
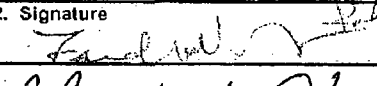
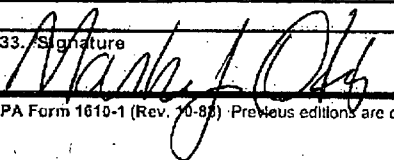
Amendment
Part 1 - General Information

1. EPA IAG Identification Number OW-96-94018901 - W		4. Funding Location by Region EPA R1							
2. Other Agency IAG ID Number		5. Program Office Abbreviation Region 1							
3. Type of Action Augmentation: Increase									
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894		7. Name and Address of Other Agency Corps of Engineers-Omaha District 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 DUNS: 153562384							
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$10,153,218.									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 402-697-2425							
11. Project Period 02/01/1999 to 12/31/2019		12. Budget Period 02/01/1999 to 12/31/2019							
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173.									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115			15. Other Agency Type Federal Agency						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$140,594,615	\$10,153,218	\$150,747,833						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$140,594,615	\$10,153,218	\$150,747,833						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP011	2008	T	1A00R	302DD2C	2507	0143RA01	C003	10,000,000
	RUP009	2008	TR2B	1A00R	302DD2C	2507	0143RA01	C003	153,218
									10,153,218


EPA IAG Identification No. DW-96-94018901 - W Page 2

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - W
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$15,586,333
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$10,153,218	\$135,161,500
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$10,153,218	\$150,747,833
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$10,153,218	\$150,747,833
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes		
Type of Extramural Agreement		<input checked="" type="checkbox"/> Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	135161500 Total: \$ 135,161,500.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:	
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
Funding Agency's Treasury Symbol 68-20X8145		
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (Include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency Monthly	

EPA IAG Identification No. DW-96-94018901 - W Page 3

Part IV - Acceptance Conditions		EPA Identification Number
		DW-96-94018901 - W
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023		30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Site Remediation and Restoration Action on Behalf of the Environment Protection Agency	Date 6-2-08
32. Signature 	Typed Name and Title Linda Murphy, Dir. Office of Admin. & Resource Management Authorizing Official on Behalf of the Other Agency	Date 6/4/08
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 6/5/08

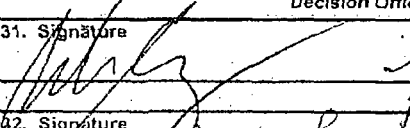
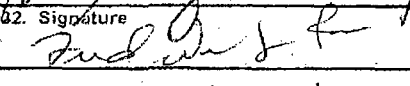

Page 1

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>		1. EPA IAG Identification Number DW-96-94018901 - X	4. Funding Location by Region EPA R1						
		2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1						
		3. Type of Action Augmentation: Increase							
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894		7. Name and Address of Other Agency Corps of Engineers-Omaha District 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 DUNS: 153582384							
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MA 01903-1335. This amendment increases this IAG by \$1,248,813.									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 402-697-2425							
11. Project Period 02/01/1999 to 12/31/2019		12. Budget Period 02/01/1999 to 12/31/2019							
13. Scope of Work Please refer to existing Scope of Work. EPA Grants Specialist for this IAG is MaryEllen Stahls 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115			15. Other Agency Type Federal Agency						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$150,747,833	\$1,248,813	\$151,996,646						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$150,747,833	\$1,248,813	\$151,996,646						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP001	2008	TR1	1A00R	302DD2C	2507	0143RA01	C003	1,248,813
									1,248,813


EPA IAG Identification No. DW-96-94018901 - X Page 2

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - X
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$15,586,333
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$1,248,813	\$136,410,313
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$1,248,813	\$151,996,646
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$1,248,813	\$151,996,646
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more)		<input checked="" type="checkbox"/> No
24. Are any of these funds being used on extramural agreements? (See Item 22f.)		<input checked="" type="checkbox"/> Yes
Type of Extramural Agreement		<input checked="" type="checkbox"/> Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	138410313 Total \$ 136,410,313.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement <input checked="" type="checkbox"/> Repayment	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: <input checked="" type="checkbox"/> Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
Funding Agency's Treasury Symbol 68-20X8145		
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency Monthly	

EPA IAG Identification No. DW-96-94018901 - X Page 3

Part IV - Acceptance Conditions		EPA Identification Number
		DW-96-94018901 - X
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023		30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Site Remediation and Restoration Action on Behalf of the Environment Protection Agency	Date 8-4-08
32. Signature 	Typed Name and Title Linda Murphy, Dir. Office of Admin. & Resource Management Authorizing Official on Behalf of the Other Agency	Date 8/6/08
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 8/8/08

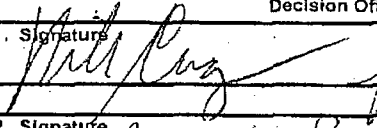
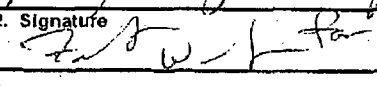
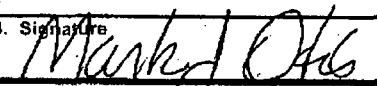
Page 1

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>		1. EPA IAG Identification Number DW-96-94018901 - Y	4. Funding Location by Region EPA R1						
		2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1						
		3. Type of Action Augmentation: Increase							
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894		7. Name and Address of Other Agency Corps of Engineers-Omaha District 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 DUNS: 153562384							
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$450,070 and it revises the budget object classes.									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 402-697-2425							
11. Project Period 02/01/1999 to 12/31/2019		12. Budget Period 02/01/1999 to 12/31/2019							
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanlis 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115			15. Other Agency Type Federal Agency						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$151,996,646	\$450,070	\$152,446,716						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$151,996,646	\$450,070	\$152,446,716						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP002	2008	TR1	1A00R	302DD2C	2507	0143RA01	C003	450,070
									450,070


EPA IAG Identification No. DW-96-94018901 - Y Page 2

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - Y
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$964,070	\$16,550,403
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$-514,000	\$135,896,313
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$450,070	\$152,446,716
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$450,070	\$152,446,716
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes		
Type of Extramural Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	138410313 Total \$ 138,410,313.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:	
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
Funding Agency's Treasury Symbol 68-20X8145		
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency Monthly	

EPA IAG Identification No. DW-96-94018901 - Y Page 3

Part IV - Acceptance Conditions		EPA Identification Number
		DW-96-94018901 - Y
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 1 Congress Street, Suite 1100 Boston, MA 02114-2023		30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Site Remediation and Restoration Action on Behalf of the Environment Protection Agency	Date 9/17/08
32. Signature 	Typed Name and Title Linda Murphy, Dir. Office of Admin. & Resource Management Authorizing Official on Behalf of the Other Agency	Date 9/17/08
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 9/17/08

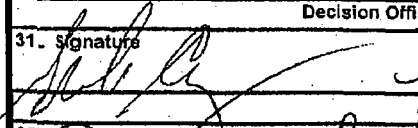
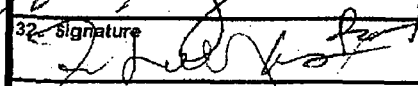
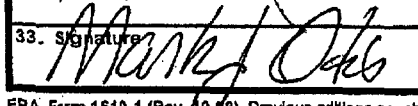
Page 1


	United States Environmental Protection Agency Washington, DC 20460 Interagency Agreement Amendment Part 1 - General Information	1. EPA IAG Identification Number DW-96-94018901 - Z	4. Funding Location by Region EPA R1						
		2. Other Agency IAG ID Number		5. Program Office Abbreviation Region 1					
		3. Type of Action Augmentation; Increase							
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894		7. Name and Address of Other Agency Corps of Engineers-Omaha District 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 DUNS: 153562384							
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MA0980731335. This amendment increases this IA by \$5,600,000.									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 402-697-2425							
11. Project Period 02/01/1999 to 12/31/2019		12. Budget Period 02/01/1999 to 12/31/2019							
13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA; Secs. 105(A)(4) & 115			15. Other Agency Type Federal Agency						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$152,446,716	\$5,600,000	\$158,046,716						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$152,446,716	\$5,600,000	\$158,046,716						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP018	2009	T	1A00R	302DD2C	2506	0143RA01	C003	3,800,000
	RAP018	2009	TR2B	1A00R	302DD2C	2506	0143RA01	C003	1,800,000
									5,600,000

EPA IAG Identification No. DW-86-84018901 - Z Page 2

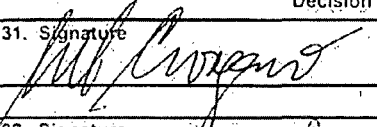

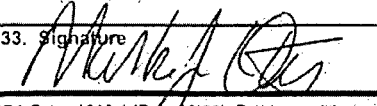
Part II - Approved Budget		EPA IAG Identification Number DW-86-84018901 - Z
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$400,000	\$16,950,403
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$5,200,000	\$141,086,313
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$5,600,000	\$158,046,716
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$5,600,000	\$158,046,716
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more)		<input checked="" type="checkbox"/> No
24. Are any of these funds being used on extramural agreements? (See Item 22f.)		<input checked="" type="checkbox"/> Yes
Type of Extramural Agreement		<input checked="" type="checkbox"/> Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	141096313 Total \$ 141,086,313.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:	
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly	
	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.	
	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
Funding Agency's Treasury Symbol 68-20X8145		
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (Include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency	
	Monthly	

EPA IAG Identification No. DW-96-94018901 - Z Page 3

Part IV - Acceptance Conditions		EPA Identification Number
		DW-96-94018901 - Z
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 1 Congress Street, Suite 1100 Boston, MA 02114-2023		30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Site Remediation and Restoration Action on Behalf of the Environment Protection Agency	Date 2/24/09
32. Signature 	Typed Name and Title Linda Murphy, Dir. Office of Admin. & Resource Management Authorizing Official on Behalf of the Other Agency	Date 2/25/09
33. Signature 	Typed Name and Title Mark J. Olls, Chief, Environmental Project Management Branch	Date 2/26/09

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>		1. EPA IAG Identification Number DW-96-94018901 - a	4. Funding Location by Region EPA-R1						
		2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 1						
		3. Type of Action Augmentation: Increase							
6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894		7. Name and Address of Other Agency Corps of Engineers-Omaha District 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 DUNS: 153562384							
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MA 01903-1335. This amendment increases this IA by \$9,686,000.									
9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425		10. Other Agency Project Officer (Name, Address, Phone Number) Marvené Seaman 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 402-697-2425							
11. Project Period 02/01/1999 to 12/31/2019		12. Budget Period 02/01/1999 to 12/31/2019							
13. Scope of Work Please refer to existing Scope of Work EPA IA Specialist for this IA is MaryEllen Stanis 617-918-1173									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115			15. Other Agency Type Federal Agency						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount	\$158,046,716	\$9,686,000	\$167,732,716						
17. EPA In-Kind Amount	\$0		\$0						
18. Other Agency Amount	\$0		\$0						
19. Other Agency In-Kind Amt.	\$0		\$0						
20. Total Project Cost	\$158,046,716	\$9,686,000	\$167,732,716						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP026	2009	T	1A00R	302DD2C	2506	0143RA01	C003	9,400,000
	RAP026	2009	TCD	1A00R	302DD2C	2506	0143RA01	C003	286,000
									9,686,000

Part II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - a
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$230,000	\$17,180,403
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$9,456,000	\$150,552,313
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$9,686,000	\$167,732,716
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$9,686,000	\$167,732,716
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Extramural Agreement	<input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Procurement	
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Foster Wheeler	150552313 Total \$ 150,552,313.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002.	
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work	
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.	
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdgtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
<input type="checkbox"/> Reimbursement Agreement		
<input type="checkbox"/> Repayment		
<input type="checkbox"/> Advance		
<input type="checkbox"/> Allocation Transfer-In		
Funding Agency's Treasury Symbol	68-20X8145	<input type="checkbox"/> One-Year <input type="checkbox"/> Two-Year <input type="checkbox"/> No-Year
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency	
	Monthly	

Part IV - Acceptance Conditions		EPA Identification Number: DW-96-94018901 - a
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed) 		
Part V - Offer and Acceptance		
Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R1 1 Congress Street, Suite 1100 Boston, MA 02114-2023		30. Organization/Address US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title James T. Owens, III, Dir. Office of Site Remediation and Restoration Action on Behalf of the Environment Protection Agency	Date 5/5/09
32. Signature 	Typed Name and Title Linda Murphy, Dir. Office of Admin. & Resource Management Authorizing Official on Behalf of the Other Agency	Date 5/5/09
33. Signature 	Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch	Date 5/6/09

1. EPA IA Identification Number DW-96-94018901 - b	2. Funding Location by Region EPA R1
3. Other Agency IA ID Number (if known)	4. Awarding Office IASSC West
5. Type of Action No Cost Amendment	

7. Name and Address of Other Agency
U.S. Army Corps of Engineers EM CX
1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES)
Omaha, NE 68102-9200

<p>12. Project Title and Description</p> <p>Remedial Action for clean-up of Upper and Lower Harbor at</p> <p>New Bedford Superfund Site, New Bedford, MAD980731335.</p>	<p>This amendment reflects a change in the EPA Project Officer to Robert Shewack, changes the IA Specialist to Grady Maxwell, and updates the USACE Superfund Terms and Conditions to comply with IA guidance.</p>
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14. Other Agency Project Officer (Name, Address, Telephone Number)
Marvene Seaman
1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES)
Omaha, NE 68102-9200
402-697-2425
E-Mail: marvene.l.seaman@usace.army.mil
FAX: :

16. Scope of Work (See Attachment)	
No change in the Scope of Work	

<p>20. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(A)(4) & 115</p>	<p>21. Other Agency Type Federal Agency</p>
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	Previous Funding	This Action	Amended Total
Revise Reimbursable (in-house)	17,180,403		17,180,403
Direct Fund Cite (contractor)	150,552,313		150,552,313
Total	167,732,716		167,732,716

Funds	Previous Amount	Amount This Action	Total Amount
23. EPA Amount	\$167,732,716		\$167,732,716
24. EPA In-Kind Amount	\$0		\$0
25. Other Agency Amount	\$0		\$0
26. Other Agency In-Kind Amount	\$0		\$0
27. Total Project Cost	\$167,732,716		\$167,732,716

[illegible]

Part II - Approved Budget				EPA IAG Identification Number DW-96-94018901 - b
29. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,180,403			\$17,180,403
(b) Fringe Benefits	\$0			\$0
(c) Travel	\$0			\$0
(d) Equipment	\$0			\$0
(e) Supplies	\$0			\$0
(f) Procurement / Assistance	\$150,552,313			\$150,552,313
(g) Construction	\$0			\$0
(h) Other	\$0			\$0
(i) Total Direct Charges	\$167,732,716	\$0	\$0	\$167,732,716
(j) Indirect Costs:	\$0	\$0	\$0	\$0
Charged - Amount Rate: % Base: \$ Not Charged: Funds-In: Not charged by EPA Amount \$ Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$ Exempt (Working Capital Fund, Shared Services, etc.)				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$167,732,716	\$0	\$0	\$167,732,716
30. How was the IDC Base calculated?				
31. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)				
32. Are any of these funds being used on extramural agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Extramural Agreement				
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project		Percent Funded by EPA (if known)	
Foster Wheeler	150552313 Total \$ 150,552,313.00		100	
Part III - Funding Methods and Billing Instructions				
33.	(Note: EPA Agency Location Code (ALC) - 68010727)			
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002.			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
34. <input type="checkbox"/> Reimbursement Agreement	<input type="checkbox"/> Repayment <input type="checkbox"/> Advance			
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	
			Monthly	

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - b

35. Terms and Conditions (See attached terms and conditions, Attachment B)

Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

36. Organization/Address

37. Organization/Address

U.S. Environmental Protection Agency
IASSC West
1200 Sixth Avenue, Suite 900, OMP-145
Seattle, WA
98101

US Environmental Protection Agency
R1 - Region 1
5 Post Office Square, Suite 100, Mail Code: OSRR01-5
Boston, MA 02109-3912

Award Official on Behalf of the Environment Protection Agency

38. Signature

Typed Name and Title

Date

Armina K. Nolan, Manager - Grants and Interagency Agreements Unit

01/29/2010

Authorizing Official on Behalf of the Other Agency

39. Signature

Typed Name and Title

Date

Mark J. Otis, Chief, Environmental Project Management Branch

02/19/2010

IA Terms and Conditions

USACE Special Terms and Conditions

The USACE agrees to meet the site-specific financial management and recordkeeping responsibilities contained in EPA's "Superfund Financial Management and Recordkeeping Guidance for Federal Agencies" (January 1989).

1. Cost Documentation Requirements

EPA, acting as manager of the Hazardous Substances Superfund, requires current information on CERCLA response actions and related obligations of CERCLA funds for these actions. In addition, CERCLA, as amended, authorizes EPA to recover from responsible parties all government costs incurred during a response action. In order to help assure oversight and successful recovery of CERCLA funds, both USACE and EPA have responsibilities under this agreement. The USACE accounting system reports must be supported by site – and activity-specific cost documentation. The USACE will organize and retain in a site file documentation of costs by site and activity (e.g. vouchers, billing statements, evidence of payment, audit reports) as follows:

a. Direct Costs

- Payroll – timesheets or timecards to support hours charged to a particular site, including the signature of the employee and/or the employee's supervisor.
- Travel – travel authorizations (including purpose of trip), local travel vouchers, traveler's reimbursement vouchers, carrier bills (including airline tickets), government owned vehicle bills, appropriate receipts for hotel, car rental, etc., proof of payment. Proof of payment is satisfied by providing a copy of the accomplished Standard Form (SF) 1166 "Voucher and Schedule of Payment" or equivalent.
- Contractor Services – copies of contracts, requests for proposals (RFPs), detailed evaluations of contractor bids, contractor invoices, USACE project officer approvals of invoices, and proof of payment. Proof of payment is satisfied by providing a copy of the accomplished SF 1166 or equivalent.
- Supplies and Equipment – EPA authorizations to purchase non-expendable property of \$1,000 or more, vendor invoices, proof of payment, and hourly records of equipment use, when applicable.
- Any other direct costs not included in the above categories.

b. Indirect Costs

If indirect costs are not calculated by the USACE accounting system, a worksheet showing calculations of indirect costs charged to a site will be retained by the USACE.

Under this IA, the USACE certifies: 1) that any indirect costs included in billings to EPA represent, in accordance with GAO principles, indirect costs that would not have been otherwise incurred by the USACE, or 2) that explicit Congressional authority exists for charging other than incremental costs of performance.

2. Reporting Requirements

- a. The USACE will provide monthly progress reports to the EPA Remedial Project Manager (RPM) listed on the IA form, and to the EPA Regional IA Coordinator or Regional Project Officer who is assigned to coordinate IAs within the Regional office. The format and contents for monthly progress reports will follow recommendations provided in EPA's March 2008 OSRTI guidance memorandum entitled: "Monthly Project Reporting for Superfund Interagency Agreements to the U.S. Army Corps of Engineers". The

monthly progress reports should minimally contain the following:

- A cover letter which includes the Site Name and IA Number.
- Summary of work performed for current period.
- Estimate of the percentage of the project completed.
- Accounting of funds expended during the reporting period and on the project to date, which includes budget category cost breakdown.
- Summaries of all change orders and claims made on contracts during the reporting period.
- Summaries of all contacts with representatives of the local community, public interest groups, or State government during the reporting period.
- Summaries of all problems or potential problems encountering during the reporting period.
- Projected work for the next reporting period.
- Copy of the SF 1080 billings statement clearly marked "copy".

b. The USACE will submit a complete and signed Request for Reimbursement (SF-1080) to the EPA Financial Management Center, Cincinnati (CFMC), containing, as appropriate, USACE cost by budget category identified by site, site-specific account number, and IA number. The USACE will follow the procedures contained in EPA's OERR Directive, Memorandum 9295.2-04 entitled "EPA/U.S. Army Corps of Engineers Payment Process, Direct Cite Revised Reimbursement Methods" (available at the following website: <http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment.pdf>). Upon receipt of the USACE certified bills, CFMC processes payment to USACE. Payment will be made within 5 days of receipt and without certification by the EPA Regional Program Office except for final billings. **The USACE project manager will provide a copy of the SF 1080 billings clearly marked "copy" with the monthly status report to the EPA Regional IA Coordinator and to the EPA Remedial Project Manager.** If EPA detects any apparent discrepancies with the payment request, the problem should be discussed and resolved with the USACE Project Manager. Any changes required to subsequent payment requests will be documented in a memorandum from the RPM to the USACE project manager.

c. The USACE will provide a final inventory of property within one month of the end of the Interagency Agreement performance period, describing the condition of each item. The USACE will require all contractors to provide a final inventory of property prior to their final contract payment. If the duration of the project is greater than one year, USACE will provide an annual inventory of all property acquired by or furnished to USACE with EPA funds.

3. Cost Recovery

In the event of a contemplated cost recovery action, the USACE will provide to EPA or the Department of Justice (DOJ) a cost documentation package detailing site-specific costs and including copies of the back up documentation. In some cases, these requests from EPA or DOJ may require that this documentation be provided in less than thirty days. If additional time is required to comply with a request, the USACE will negotiate with EPA or DOJ a schedule for responding. The USACE will provide EPA with a contact for obtaining necessary site-specific accounting information and documentation.

4. Cost Collection Upon Cancellation

If EPA cancels the IA, the USACE is authorized to collect costs incurred prior to cancellation of the IA plus termination costs, up to the total payment amount provided for under the agreement.

5. Record Retention Requirements

The USACE will retain the documents describe in these "Special Conditions" for a minimum of thirty years after submission of a final SF 1080 for a site or sites, after which USACE must obtain written permission from the authorized EPA official before disposing of any of the records. The USACE will require all contractors entering into cost reimbursable type contracts to establish and maintain cost documentation as described above.

6. Audits

a. Superfund cost documentation information must be available for audit or verification upon request of authorized auditing agencies.

b. If an audit determines that any direct or indirect costs charged to EPA by the USACE are unallowable, the USACE will notify EPA immediately following the release of the audit.

7. Financial Closeout

Within six months after completion of the projects/activities, the USACE will send a letter to EPA Regional IA Coordinator stating that the project has been completed and give the total amount of funds utilized and the amount of excess funds to be deobligated and returned to EPA.

8. Other EPA Involvement

a. If the Direct Fund Cite Method applies, payment by EPA to USACE contractors is contingent upon receipt of a USACE certified payment request. Reimbursement to USACE for in-house costs is contingent upon receipt of a USACE certified reimbursement request (SF 1080).

b. If the Direct Fund Cite Method does not apply, reimbursement to USACE for all costs (contract and in-house) is contingent upon receipt of a USACE certified reimbursement request (SF 1080).

c. Final project payments for specific contracts and in-house cost should be reviewed and approved by the EPA Regional Program Office.

d. EPA will hold title to all property acquired with Superfund monies. EPA will provide the USACE with property disposition instructions upon termination of the IA and receive fair-market value for any property disposed of or used for non-Superfund activities.

9. Equipment Disposition

EPA will hold title to all property acquired with Superfund monies. EPA will provide the USACE with property disposition instructions upon termination of the IA and receive fair-market value for any property disposed of or used for non-Superfund activities.

10. Minority Business Utilization

In accordance with Public Law 102-389, EPA's policy requires, to the fullest extent possible, that at least 8% of its overall Federal funding for prime and subcontracts awarded in support of authorized programs be awarded to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals, including historically Black colleges and universities and women. In accordance with CERCLA, as amended (P.L. 99-499), Section 105, any Federal agency awarding contracts, grants, or cooperative agreements utilizing Superfund monies shall consider the availability of minority contractors for participation in contracts. This includes but is not limited to: contracts, subcontracts, SBA 8(a) awards and any subagreements.

Consistent with the above statutes and policy, the USACE agrees, in awarding contracts under this IA, to

comply with the utilization requirements for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) set forth. USACE also agrees to comply with the Small Business Act, 15 U.S.C. 631 et seq and the annual Small Business goals it negotiated with the Small Business Administration (SBA).

Each year, the USACE will provide the RPM with a report providing the total amount of procurement dollars awarded and the amount and percentage of such funds awarded to MBEs and WBEs associated with the IA. In addition, the USACE agrees to submit a report to EPA showing the total amount of procurement dollars awarded and the amount and percentage of such funds awarded to MBEs and WBEs on EPA Forms 6005-3 and 6005-3a by December 15th of the current year. Reports should be submitted to:

Office of Small Business Program
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW (Mail Code: 1230T)
Washington, D.C. 20460

11. Project Specific Conditions

- a. The USACE will invite (with reasonable notice) the EPA RPM to participate in contractor meetings in which scope of the project and/or progress is discussed.
- b. The USACE will invite the EPA RPM to participate in the contractor selection process, as appropriate.
- c. The USACE will have final authority for contract bids, shop drawings and contract modifications that may occur/be prepared during the course of the contract (within contingency fund limitations).
- d. The USACE Project Manager will regularly brief the EPA RPM on the current status of the project. Briefings will be monthly unless a different frequency is mutually agreed upon by both project managers. Emphasis will be placed on project budget, expenditure rates, and schedule.
- e. The USACE personnel and its contractors will have the appropriate safety training and be involved as appropriate in a medical monitoring program as specified in 29 CFR Part 1910; 51 CFR 45663 – 45675; and Section 125(e) of CERCLA, as amended.
- f. Upon request, the USACE will, in a timely manner, submit to the EPA RPM all final negotiated contracts and contract modifications with budget information.
- g. If USACE and EPA cannot concur nor conditionally concur regarding any aspect of work associated with EPA and USACE activities under this IA, such disputes shall be resolved at the lowest level possible within EPA and USACE. In such instances, USACE district or division staff may sequentially elevate the matter to the Commander of the USACE district or division office that is managing the IA for resolution, and EPA regional or headquarters staff may sequentially elevate the matter to the Director of EPA's Superfund or Waste Management Division with the EPA regional or headquarters office that is managing the IA for resolution.

12. Timeliness of Deliverable Review

All project deliverables will be reviewed by appropriate USACE and EPA personnel within 30 days unless a different frequency is mutually agreed upon by both USACE and EPA Project Managers. Shortened time frames may be appropriate in cases of expedited schedules.

13. Confidential Business Information Protection

Under situations where private contractors or subcontractors who are attempting to contract or are under contract with USACE under this IA have claimed some information as Confidential Business Information

(CBI), USACE will ensure that such private contractors or subcontractors mark the information as CBI or similar claim of confidentiality. The USACE will then inform EPA immediately in writing when such a claim has been received, and forward the information marked CBI to EPA for EPA review. EPA's Office of General Counsel or Office of Regional Counsel will then decide whether the CBI claim is valid. If EPA determines that the information is CBI, USACE and EPA cannot release that information under the Freedom of Information Act (FOIA). If USACE or EPA did not ask the private contractors or subcontractors to identify CBI in its document submittals, and there is a FOIA request, USACE or EPA will have to go back to the private contractors or subcontractors and ask them to identify any CBI. If any questions arise regarding whether or not information is releasable under FOIA, USACE and EPA staff should request that the EPA Project Officer managing the IA contact EPA's Office of General Counsel or Office of Regional Counsel, or the local EPA FOIA Officer, for assistance.

14. Change of EPA Project Officer

If the EPA Project Officer changes during the period of performance of the IA, EPA should submit an IA Amendment Form as soon as the change occurs.

15. Annual Survey

On an annual basis, EPA will conduct a performance feedback survey to assess work assigned to USACE through the IA during the calendar year. The purpose of this feedback survey is to assess the performance of USACE in carrying out assigned Superfund work during the calendar year. The survey includes survey questions that would be filled out by the RPM regarding USACE performance under the IA. For any sites where an RPM provides a low rating of '1' or '2' for any response to this feedback survey, USACE Headquarters will request that the USACE Project Manager contact the RPM to discuss the reasons for that rating and work out how to best resolve the problems or issues raised by the RPM.

16. Resolution of Disagreements


Should disagreement arise concerning the interpretation of the provisions of this agreement, the dispute shall be resolved pursuant to the Business Rules for Intra-Governmental Transactions delineated in the Treasury Financial manual, Volume 1, Bulletin 2007-03, Section VII, Resolving Intra-governmental Disputes.

17. Quality Assurance

If this IA involves the collection, generation, or use of environmental data or information, then a Quality Management Plan (QMP) and a Quality Assurance Project Plan (QAPP) must be developed and used in accordance with existing Regional and National Program Office QA policies, guidelines, SOPs, etc. Within these broad QM/QA guidelines, specific requirements for a given project will be detailed in the Statement of Work (SOW) as an attachment to each IA. If mutually agreed, QMPs may address multiple projects and be submitted periodically, rather than project specifically. The USACE is responsible for reviewing and approving any contractor work for consistency with these QA requirements. Any guidance referenced herein will be superseded by updates or new Requirements/Guidance as they become available. EPA may perform periodic Quality System and/or project-related assessments. The most recent QMP and QAPP Guidance and Requirements can be found at:

<http://www.epa.gov/fedfac/documents/qualityassurance.htm> and with QMP guidelines found under "Uniform Federal Policy for Implementing Quality Systems" and QAPP guidelines as "Part 1: UFP QAPP Manual" and also at Part 2A, Part 2A(e), and Part 2B.

THIS ENDS INTERAGENCY AGREEMENT DW-96-94018901-b

 <p align="center">United States Environmental Protection Agency Washington, DC 20460</p> <p align="center">Interagency Agreement/Amendment Part 1 - General Information</p>		1. EPA IA Identification Number DW-96-94018901 - c		2. Funding Location by Region EPA R1					
		3. Other Agency IA ID Number (if known)		4. Awarding Office ASSC West					
		5. Type of Action Augmentation: Increase							
		8. Name and Address of EPA Organization US Environmental Protection Agency IASSC WEST 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101		7. Name and Address of Other Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200					
8. DUNS: 029128894		9. BETC: DISB		10. DUNS: DOD984126					
11. BETC: COLL									
12. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases Federal funding by \$5,000,000.									
13. EPA Project Officer (Name, Address, Telephone Number) Robert Shewack 5 Post Office Square, Suite 100, Mail Code: OSRR01-5 Boston, MA 02109-3912 617-918-1428 E-Mail: shewack.robert.epa.gov FAX:			14. Other Agency Project Officer (Name, Address, Telephone Number) Marvene Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 E-Mail: marvene.l.seaman@usace.army.mil FAX:						
15. Project Period: 01/31/1999 to 12/30/2019			16. IA Specialist: Grady Maxwell 206-553-0241						
17. Scope of Work (See Attachment) No change in the Scope of Work									
17. Employee/Tax ID No. 520852695		18. CAGE No: 347A4		19. ALC: 68-01-0727					
20. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(a)(4) & 115; Executive Order 12580 as amended					21. Other Agency Type Federal Agency				
22. Revised Reimbursable Funds and Direct Fund Cites (only complete if applicable)									
	Previous Funding		This Action		Amended Total				
Revised Reimbursable (In-house)	17,180,403		250,000		17,430,403				
Direct Fund Cite (contractor)	150,552,313		4,750,000		155,302,313				
Total	167,732,716		5,000,000		172,732,716				
	Previous Amount		Amount This Action		Total Amount				
23. EPA Amount	\$167,732,716		\$5,000,000		\$172,732,716				
24. EPA In-Kind Amount	\$0				\$0				
25. Other Agency Amount	\$0				\$0				
26. Other Agency In-Kind Amount	\$0				\$0				
27. Total Project Cost	\$167,732,716		\$5,000,000		\$172,732,716				
28. Fiscal Information									
Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
68-20XB145	RAP011	10	T	1A00R	302DD2C	2508	0143RA01	COO3	5,000,000
									5,000,000

Part II - Approved Budget				EPA IAG Identification Number DW-96-94018901 - c
29. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,180,403	\$70,000		\$17,250,403
(b) Fringe Benefits	\$0	\$37,100		\$37,100
(c) Travel	\$0	\$1,300		\$1,300
(d) Equipment	\$0			\$0
(e) Supplies	\$0			\$0
(f) Procurement / Assistance	\$150,552,313	\$4,750,000		\$155,302,313
(g) Construction	\$0			\$0
(h) Other	\$0	\$70,000		\$70,000
(i) Total Direct Charges	\$167,732,716	\$4,928,400	\$0	\$172,661,116
(j) Indirect Costs:	\$0	\$71,600	\$0	\$71,600
Charged - Amount Rate: 67% Base: \$107,100.00 Not Charged: Funds-In: Not charged by EPA Amount \$ Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$ Exempt (Working Capital Fund, Shared Services, etc.)				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$167,732,716	\$5,000,000	\$0	\$172,732,716
30. How was the IDC Base calculated?				
31. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)				
32. Are any of these funds being used on extramural agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Extramural Agreement				
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project		Percent Funded by EPA (if known)	
Foster Wheeler	150552313		100	
Unknown	4750000		100	
		Total \$ 155,302,313.00		
Part III - Funding Methods and Billing Instructions				
33. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002.			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
34. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance				
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (Include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	
			Monthly	

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94018901 - c

35. Terms and Conditions (See attached terms and conditions, Attachment B)

Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

B) For Funds-in actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

36. Organization/Address

37. Organization/Address

U.S. Environmental Protection Agency
IASSC West
1200 Sixth Avenue, Suite 900, OMP-145
Seattle, WA
98101

US Environmental Protection Agency
R1 - Region 1
5 Post Office Square, Suite 100, Mail Code: OSRR01-5
Boston, MA 02109-3912

Award Official on Behalf of the Environment Protection Agency

38. Signature

Typed Name and Title

Date

Erin K. Nolan for Armina K. Nolan, Manager - Grants and Interagency Agreements Unit

3/10/10

Authorizing Official on Behalf of the Other Agency


39. Signature

Typed Name and Title

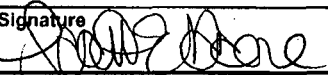
Date

Mark J. Otis Mark J. Otis, Chief, Environmental Project Management Branch

3/16/10

 <p align="center"> United States Environmental Protection Agency Washington, DC 20460 Interagency Agreement/ Amendment Part 1 - General Information </p>		1. EPA IA Identification Number DW-96-94018901 - d		2. Funding Location by Region EPA R1					
		3. Other Agency IA ID Number (if known)		4. Awarding Office IASSC West					
		5. Type of Action Augmentation: Increase		6. IA Specialist: Cathy Reese 206-553-6286 Reese.Cathy@epa.gov					
7. Name and Address of EPA Organization US Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101			8. Name and Address of Other Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200						
9. DUNS: 029128894		10. BETC: DISB		11. DUNS: DOD964126					
12. BETC: COLL									
13. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases Federal funding by \$3,797,000, changes the IA Specialist to Cathy Reese, and updates the Terms and Conditions to comply with the new IA guidance.									
14. EPA Project Officer (Name, Address, Telephone Number) Robert Shewack 5 Post Office Square, Suite 100, Mail Code: OSRR01-5 Boston, MA 02109-3912 617-918-1428 E-Mail: shewack.robert.epa.gov FAX: 617-918-0428			15. Other Agency Project Officer (Name, Address, Telephone) Marvene Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 E-Mail: marvene.l.seaman@usace.army.mil FAX:						
16. Project Period: 02/01/1999 to 12/30/2019			17. Budget Period: 02/01/1999 to 12/30/2019						
18. Scope of Work (See Attachment) The Scope of Work Remains the Same.									
19. Employer/Tax ID No. 520852695		20. CAGE No: 347A4		21. ALC: 68-01-0727					
22. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580					23. Other Agency Type Federal Agency				
24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)									
	Previous Funding		This Action		Amended Total				
Revise Reimbursable (in-house)	17,705,403		675,000		18,380,403				
Direct Fund Cite (contractor)	155,027,313		3,122,000		158,149,313				
Total	172,732,716		3,797,000		176,529,716				
	Previous Amount		Amount This Action		Total Amount				
25. EPA Amount	\$172,732,716		\$3,797,000		\$176,529,716				
26. EPA In-Kind Amount					\$0				
27. Other Agency Amount					\$0				
28. Other Agency In-Kind Amount					\$0				
29. Total Project Cost	\$172,732,716		\$3,797,000		\$176,529,716				
30. Fiscal Information									
Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
68-20X8145	111ARAP003	11	TCD	1A00R	302DD2C	2506	0143RA01	C003	3,797,000
									3,797,000

Part II - Approved Budget				EPA IAG Identification Number DW-96-94018901 - d
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,250,403	\$125,290		\$17,375,693
(b) Fringe Benefits	\$37,100	\$66,404		\$103,504
(c) Travel	\$1,300	\$5,000		\$6,300
(d) Equipment	\$0	\$0		\$0
(e) Supplies	\$0	\$0		\$0
(f) Procurement / Assistance	\$155,027,313	\$3,122,000		\$158,149,313
(g) Construction	\$0	\$0		\$0
(h) Other	\$345,000	\$349,871		\$694,871
(i) Total Direct Charges	\$172,661,116	\$3,668,565	\$0	\$176,329,681
(j) Indirect Costs:	\$71,600	\$128,435		\$200,035
Charged - Amount Rate: 67% Base: \$191,694.00 Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$172,732,716	\$3,797,000	\$0	\$176,529,716
32. How was the IDC Base calculated?				
33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)				
34. Are any of these funds being used on extramural agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Extramural Agreement Contract				
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project		Percent Funded by EPA (if known)	
Foster Wheeler	150552313		100	
Unknown	7597000		100	
		Total. \$ 158,149,313.00		
Part III - Funding Methods and Billing Instructions				
(Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance				
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (Include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - d
37. Terms and Conditions (See attached terms and conditions, Attachment B)		
<p align="center">Part V - Offer and Acceptance</p> <p>Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.</p> <p>Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
EPA IA Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
38. Organization/Address U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101		39. Organization/Address US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100, Mail Code: OSRR01-5 Boston, MA 02109-3912
Award Official on Behalf of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official Armina K. Nolan - Manager - Grants and Interagency Agreements Unit		Date 03/16/2011
Authorizing Official on Behalf of the Other Agency		
41. Signature 	Typed Name and Title Scott Acone, Chief, Military & Environmental Project Management Branch	Date 3/16/2011

IA Terms and Conditions

USACE Special Terms and Conditions - updated December 2010

The USACE agrees to meet the site-specific financial management and recordkeeping responsibilities contained in EPA's "Superfund Financial Management and Recordkeeping Guidance for Federal Agencies" (January 1989).

1. Cost Documentation Requirements

EPA, acting as manager of the Hazardous Substances Superfund, requires current information on CERCLA response actions and related obligations of CERCLA funds for these actions. In addition, CERCLA, as amended, authorizes EPA to recover from responsible parties all government costs incurred during a response action. In order to help assure oversight and successful recovery of CERCLA funds, both USACE and EPA have responsibilities under this agreement. The USACE accounting system reports must be supported by site – and activity-specific cost documentation. The USACE will organize and retain in a site file documentation of costs by site and activity (e.g. vouchers, billing statements, evidence of payment, audit reports) as follows:

a. Direct Costs

- Payroll – timesheets or timecards to support hours charged to a particular site, including the signature of the employee and/or the employee's supervisor.
- Travel – travel authorizations (including purpose of trip), local travel vouchers, traveler's reimbursement vouchers, carrier bills (including airline tickets), government owned vehicle bills, appropriate receipts for hotel, car rental, etc., proof of payment. Proof of payment is satisfied by providing a copy of the accomplished Standard Form (SF) 1166 "Voucher and Schedule of Payment" or equivalent.
- Contractor Services – copies of contracts, requests for proposals (RFPs), detailed evaluations of contractor bids, contractor invoices, USACE project officer approvals of invoices, and proof of payment. Proof of payment is satisfied by providing a copy of the accomplished SF 1166 or equivalent.
- Supplies and Equipment – EPA authorizations to purchase non-expendable property of \$1,000 or more, vendor invoices, proof of payment, and hourly records of equipment use, when applicable.
- Any other direct costs not included in the above categories.

b. Indirect Costs

If indirect costs are not calculated by the USACE accounting system, a worksheet showing calculations of indirect costs charged to a site will be retained by the USACE.

Under this IA, the USACE certifies: 1) that any indirect costs included in billings to EPA represent, in accordance with GAO principles, indirect costs that would not have been otherwise incurred by the USACE, or 2) that explicit Congressional authority exists for charging other than incremental costs of performance.

2. Reporting Requirements

a. EPA regions and staff who are developing the IA should consider the anticipated project scope, schedule and costs, and discuss with the performing agency the appropriate level of detail for monthly reports, and agree on the content and format. EPA will use these reports as a tool to monitor site

activities.

b. The USACE will provide monthly progress reports to the EPA Project Officer and to the EPA Remedial Project Manager. The format and contents for monthly progress reports will follow recommendations provided in EPA's March 2008 OSRTI guidance memorandum entitled: "Monthly Project Reporting for Superfund Interagency Agreements to the U.S. Army Corps of Engineers". The monthly progress reports should minimally contain the following:

- A cover letter which includes the Site Name and IA Number.
- Summary of work performed for current period.
- Estimate of the percentage of the project completed.
- Accounting of funds expended during the reporting period and on the project to date, which includes budget category cost breakdown.
- Summaries of all change orders and claims made on contracts during the reporting period.
- Summaries of all contacts with representatives of the local community, public interest groups, or State government during the reporting period.
- Summaries of all problems or potential problems encountering during the reporting period.
- Projected work for the next reporting period.
- Copy of the SF 1080 billings statement clearly marked "copy".

c. The USACE will submit a complete and signed Request for Reimbursement (SF-1080) to the EPA Financial Management Center, Cincinnati (CFMC), containing, as appropriate, USACE cost by budget category identified by site, site-specific account number, and IA number. The USACE will follow the procedures contained in EPA's OERR Directive, Memorandum 9295.2-04 entitled "EPA/U.S. Army Corps of Engineers Payment Process, Direct Cite Revised Reimbursement Methods" (available at the following website: <http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment.pdf>). Upon receipt of the USACE certified bills, CFMC processes payment to USACE. Payment will be made within 5 days of receipt and without certification by the EPA Regional Program Office except for final billings. **The USACE project manager will provide one copy of the SF 1080 billings clearly marked "copy" with the monthly status report to the EPA Project Officer and one copy to the EPA Remedial Project Manager.** If EPA detects any apparent discrepancies with the payment request, the problem should be discussed and resolved with the USACE Project Manager. Any changes required to subsequent payment requests will be documented in a memorandum from the EPA Project Officer to the USACE project manager.

d. The USACE will provide a final inventory of property, within one month of the end of the Interagency Agreement performance period, describing the condition of each item. The USACE will require all contractors to provide a final inventory of property prior to their final contract payment. If the duration of the project is greater than one year, USACE will provide an annual inventory of all property acquired by or furnished to USACE with EPA funds.

3. Cost Recovery

In the event of a contemplated cost recovery action, the USACE will provide to EPA or the Department of Justice (DOJ) a cost documentation package detailing site-specific costs and including copies of the back up documentation. In some cases, these requests from EPA or DOJ may require that this documentation be provided in less than thirty days. If additional time is required to comply with a request, the USACE will negotiate with EPA or DOJ a schedule for responding. The USACE will provide EPA with a contact for obtaining necessary site-specific accounting information and documentation.

4. Cost Collection Upon Cancellation

If EPA cancels the IA, the USACE is authorized to collect costs incurred prior to cancellation of the IA plus termination costs, up to the total payment amount provided for under the agreement.

5. Record Retention Requirements

The USACE will retain the documents describe in these "Special Conditions" for a minimum of thirty years after submission of a final SF 1080 for a site or sites, after which USACE must obtain written permission from the authorized EPA official before disposing of any of the records. The USACE will require all contractors entering into cost reimbursable type contracts to establish and maintain cost documentation as described above.

6. Audits

- a. Superfund cost documentation information must be available for audit or verification upon request of authorized auditing agencies.
- b. If an audit determines that any direct or indirect costs charged to EPA by the USACE are unallowable, the USACE will notify EPA immediately following the release of the audit.

7. Final Inspection and Certification

The EPA Remedial Project Manager and Project Officer will participate in the final project inspection, as deemed necessary, to ensure all activities identified in the statement of work have been implemented. At project completion, the EPA Remedial Project Manager and Project Officer will review the final monthly and financial reports provided by the performing agency. If appropriate, EPA will initiate the IA closeout process.

8. Financial Closeout

Within six months after completion of the projects/activities, the USACE will send a letter to EPA Regional IA Coordinator stating that the project has been completed and give the total amount of funds utilized and the amount of excess funds to be deobligated and returned to EPA.

9. Other EPA Involvement

- a. If the Direct Fund Cite Method applies, payment by EPA to USACE contractors is contingent upon receipt of a USACE certified payment request. Reimbursement to USACE for in-house costs is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- b. If the Direct Fund Cite Method does not apply, reimbursement to USACE for all costs (contract and in-house) is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- c. Final project payments for specific contracts and in-house cost should be reviewed and approved by the EPA Regional Program Office.

10. Procurement

If this IA includes assisted acquisitions, EPA will coordinate with the performing agency prior to issuance of a contract solicitation, request for proposals under an existing contract or issuing a task order under an existing contract, to ensure that any applicable agency-specific terms and conditions are incorporated into the contract and that the statement of work is within the scope of this IA.

11. Equipment Disposition

EPA will hold title to all property acquired with Superfund monies. EPA will provide the USACE with property disposition instructions upon termination of the IA and receive fair-market value for any property disposed of or used for non-Superfund activities.

12. Minority Business Utilization

In accordance with Public Law 102-389, EPA's policy requires, to the fullest extent possible, that at least 8% of its overall Federal funding for prime and subcontracts awarded in support of authorized programs be awarded to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals, including historically Black colleges and universities and women. In accordance with CERCLA, as amended (P.L. 99-499), Section 105, any Federal agency awarding contracts, grants, or cooperative agreements utilizing Superfund monies shall consider the availability of minority contractors for participation in contracts. This includes but is not limited to: contracts, subcontracts, SBA 8(a) awards and any subagreements.

Consistent with the above statutes and policy, the USACE agrees, in awarding contracts under this IA, to comply with the utilization requirements for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) set forth. USACE also agrees to comply with the Small Business Act, 15 U.S.C. 631 et seq and the annual Small Business goals it negotiated with the Small Business Administration (SBA).

All reporting on MBE/WBE and small business accomplishments will be accomplished through the existing federal contracting reporting mechanism, currently the "Federal Procurement Data System, Next Generation (FPDS-NG)," which is available at: <https://www.fpds.gov/fpdsng/cms/>.

13. Project Specific Conditions

- a. The USACE will invite (with reasonable notice) the EPA RPM to participate in contractor meetings in which scope of the project and/or progress is discussed.
- b. The USACE will invite the EPA RPM to participate in the contractor selection process, as appropriate.
- c. The USACE will have final authority for contract bids, shop drawings and contract modifications that may occur/be prepared during the course of the contract (within contingency fund limitations).
- d. The USACE Project Manager will regularly brief the EPA RPM on the current status of the project. Briefings will be monthly unless a different frequency is mutually agreed upon by both project managers. Emphasis will be placed on project budget, expenditure rates, and schedule.
- e. The USACE personnel and its contractors will have the appropriate safety training and be involved as appropriate in a medical monitoring program as specified in 29 CFR Part 1910; 51 CFR 45663 – 45675; and Section 125(e) of CERCLA, as amended.
- f. All project deliverables will be reviewed by appropriate USACE and EPA personnel within 30 days unless a different frequency is mutually agreed upon by both USACE and EPA Project Managers. Shortened time frames may be appropriate in cases of expedited schedules.
- g. Upon request, the USACE will, in a timely manner, submit to the EPA RPM all final negotiated contracts and contract modifications with budget information.
- h. Under situations where private contractors or subcontractors who are attempting to contract or are under contract with USACE under this IA have claimed some information as Confidential Business Information (CBI), USACE will ensure that such private contractors or subcontractors mark the information as CBI or similar claim of confidentiality. The USACE will then inform EPA immediately in writing when such a claim has been received, and forward the information marked CBI to EPA for EPA review. EPA's Office of General Counsel or Office of Regional Counsel will then decide whether the CBI

claim is valid. If EPA determines that the information is CBI, USACE and EPA cannot release that information under the Freedom of Information Act (FOIA). If USACE or EPA did not ask the private contractors or subcontractors to identify CBI in its document submittals, and there is a FOIA request, USACE or EPA will have to go back to the private contractors or subcontractors and ask them to identify any CBI. If any questions arise regarding whether or not information is releasable under FOIA, USACE and EPA staff should request that the EPA Project Officer managing the IA contact EPA's Office of General Counsel or Office of Regional Counsel, or the local EPA FOIA Officer, for assistance.

i. If the EPA Project Officer changes during the period of performance of the IA, EPA should submit an IA Amendment Form as soon as the change occurs.

j. On an annual basis, EPA will conduct a performance feedback survey, fully coordinated with EPA, to assess work assigned to USACE through the IA during the calendar year. The purpose of this feedback survey is to assess the performance of USACE in carrying out assigned Superfund work during the calendar year. The survey includes survey questions that would be filled out by the RPM regarding USACE performance under the IA. For any sites where an RPM provides a low rating of '1' or '2' for any response to this feedback survey, USACE Headquarters will request that the USACE Project Manager contact the RPM to discuss the reasons for that rating and work out how to best resolve the problems or issues raised by the RPM.

14. Resolution of Disagreements

Should disagreement arise concerning the interpretation of the provisions of this agreement, the dispute shall be resolved pursuant to the Business Rules for Intra-Governmental Transactions delineated in the Treasury Financial manual, Volume 1, Bulletin 2007-03, Section VII, Resolving Intra-governmental Disputes.

If USACE and EPA cannot concur nor conditionally concur regarding any aspect of work associated with EPA and USACE activities under this IA, such disputes shall be resolved at the lowest level possible within EPA and USACE. In such instances, USACE district or division staff may sequentially elevate the matter to the Commander of the USACE district or division office that is managing the IA for resolution, and EPA regional or headquarters staff may sequentially elevate the matter to the Director of EPA's Superfund or Waste Management Division with the EPA regional or headquarters office that is managing the IA for resolution.

15. Quality Assurance


If this IA involves the collection, generation, or use of environmental data or information, then a Quality Management Plan (QMP) and a Quality Assurance Project Plan (QAPP) must be developed and used in accordance with existing Regional and National Program Office QA policies, guidelines, SOPs, etc. Within these broad QM/QA guidelines, specific requirements for a given project will be detailed in the Statement of Work (SOW) as an attachment to each IA. If mutually agreed, QMPs may address multiple projects and be submitted periodically, rather than project specifically. The USACE is responsible for reviewing and approving any contractor work for consistency with these QA requirements. Any guidance referenced herein will be superseded by updates or new Requirements/Guidance as they become available. EPA may perform periodic Quality System and/or project-related assessments. The most recent QMP and QAPP Guidance and Requirements can be found at:

<http://www.epa.gov/fedfac/documents/qualityassurance.htm> and with QMP guidelines found under "Uniform Federal Policy for Implementing Quality Systems" and QAPP guidelines as "Part 1: UFP QAPP Manual" and also at Part 2A, Part 2A(e), and Part 2B.

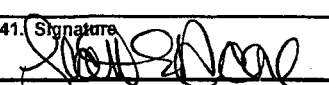
END OF INTERAGENCY AGREEMENT NO. DW-96-94018901-d

OW 96946189-01-e

Page 1

 <p align="center">United States Environmental Protection Agency Washington, DC 20460</p> <p align="center">Interagency Agreement/Amendment</p> <p align="center">Part 1 - General Information</p>		1. EPA IA Identification Number DW-96-94018901 - e		2. Funding Location by Region EPA R1					
		3. Other Agency IA ID Number (If known)		4. Awarding Office IASSC West					
		5. Type of Action Augmentation: Increase		6. IA Specialist: Cathy Reese 206-553-6286 Reese.Cathy@epa.gov					
7. Name and Address of EPA Organization US Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101			8. Name and Address of Other Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200						
9. DUNS: 029128894		10. BETC: DISB		11. DUNS: DOD964126					
12. BETC: COLL									
13. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases Federal funding by \$5,000,000. All Terms and Conditions remain the same.									
14. EPA Project Officer (Name, Address, Telephone Number) Robert Shewack 5 Post Office Square, Suite 100, Mail Code: OSRR01-5 Boston, MA 02109-3912 617-918-1428 E-Mail: shewack.robert.epa.gov FAX: 617-918-0428			15. Other Agency Project Officer (Name, Address, Telephone) Marvene Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 E-Mail: marvene.l.seaman@usace.army.mil FAX:						
16. Project Period: 02/01/1999 to 12/30/2019			17. Budget Period: 02/01/1999 to 12/30/2019						
18. Scope of Work (See Attachment) The Scope of Work Remains the Same.									
19. Employer/Tax ID No. 520852695		20. CAGE No: 347A4		21. ALC: 68-01-0727					
22. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580					23. Other Agency Type Federal Agency				
24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)									
	Previous Funding		This Action		Amended Total				
Revise Reimbursable (in-house)	18,380,403		170,000		18,550,403				
Direct Fund Cite (contractor)	158,149,313		4,830,000		162,979,313				
Total	176,529,716		5,000,000		181,529,716				
	Previous Amount		Amount This Action		Total Amount				
25. EPA Amount	\$176,529,716		\$5,000,000		\$181,529,716				
26. EPA In-Kind Amount					\$0				
27. Other Agency Amount					\$0				
28. Other Agency In-Kind Amount					\$0				
29. Total Project Cost	\$176,529,716		\$5,000,000		\$181,529,716				
30. Fiscal Information									
Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
68-20X8145	111ARAP008	11	TCD	1A00R	302DD2C	2506	0143RA01	C003	4,971,600
68-20X8145	111ARAP008	11	T	1A00R	302DD2C	2506	0143RA01	C003	28,400
									5,000,000


Part II - Approved Budget				EPA IAG Identification Number DW-96-94018901 - e
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,375,693	\$39,137		\$17,414,830
(b) Fringe Benefits	\$103,504	\$20,743		\$124,247
(c) Travel	\$6,300	\$0		\$6,300
(d) Equipment	\$0	\$0		\$0
(e) Supplies	\$0	\$0		\$0
(f) Procurement / Assistance	\$158,149,313	\$4,830,000		\$162,979,313
(g) Construction	\$0	\$0		\$0
(h) Other	\$694,871	\$70,000		\$764,871
(i) Total Direct Charges	\$176,329,681	\$4,959,880	\$0	\$181,289,561
(j) Indirect Costs:	\$200,035	\$40,120		\$240,155
Charged - Amount Rate: 67% Base: \$59,880.00 Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$176,529,716	\$5,000,000	\$0	\$181,529,716
32. How was the IDC Base calculated?				
33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)				
34. Are any of these funds being used on extramural agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Extramural Agreement: Contract				
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project			Percent Funded by EPA (if known)
Foster Wheeler	155382313			100
Unknown	7597000			100
Total \$ 162,979,313.00				
Part III - Funding Methods and Billing Instructions				
35. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002.			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance				
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (Include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - e
37. Terms and Conditions (See attached terms and conditions, Attachment B)		
<p align="center">Part V - Offer and Acceptance</p> <p>Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature.</p> <p>Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
EPA IA Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
38. Organization/Address U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101		39. Organization/Address US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100, Mail Code: OSRR01-5 Boston, MA 02109-3912
Award Official on Behalf of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official Armina K. Nolan - Manager - Grants and Interagency Agreements Unit		Date 04/26/2011
Authorizing Official on Behalf of the Other Agency		
41. Signature 	Typed Name and Title Scott Acone, Chief, Military & Environmental Project Management Branch	Date 4/27/2011

IA Terms and Conditions

All Terms and Conditions Remain the Same.

END OF INTERAGENCY AGREEMENT NO . DW-96-94018901-e

 <p align="center"> United States Environmental Protection Agency Washington, DC 20460 Interagency Agreement/ Amendment Part 1 - General Information </p>		1. EPA IA Identification Number DW-96-94018901 - f		2. Funding Location by Region EPA R1					
		3. Other Agency IA ID Number (if known)		4. Awarding Office IASSC West					
		5. Type of Action No Cost Amendment		6. IA Specialist: Cathy Reese 206-553-6286 Reese.Cathy@epa.gov					
7. Name and Address of EPA Organization US Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101			8. Name and Address of Other Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200						
9. DUNS: 029128894		10. BETC: DISB		11. DUNS: DOD964126					
12. BETC: COLL		13. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335.							
This amendment reflects a change in the EPA Project Officer. NO SIGNED ACCEPTANCE IS REQUIRED. All Terms and Conditions remain the same.									
14. EPA Project Officer (Name, Address, Telephone Number) Julianne Sammut 5 Post Office Square, Suite 100 Boston, MA 02109-3912 617-918-1426 E-Mail: sammut.julianne@epa.gov FAX: 617-918-0426			15. Other Agency Project Officer (Name, Address, Telephone) Marvene Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 E-Mail: marvene.l.seaman@usace.army.mil FAX:						
16. Project Period: 02/01/1999 to 12/30/2019			17. Budget Period: 02/01/1999 to 12/30/2019						
18. Scope of Work (See Attachment) The Scope of Work Remains the Same.									
19. Employer/Tax ID No. 520852695		20. CAGE No: 347A4		21. ALC: 68-01-0727					
22. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580					23. Other Agency Type Federal Agency				
24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)									
	Previous Funding		This Action		Amended Total				
Revise Reimbursable (in-house)	18,550,403				18,550,403				
Direct Fund Cite (contractor)	162,979,313				162,979,313				
Total	181,529,716				181,529,716				
	Previous Amount		Amount This Action		Total Amount				
25. EPA Amount	\$181,529,716				\$181,529,716				
26. EPA In-Kind Amount	\$0				\$0				
27. Other Agency Amount	\$0				\$0				
28. Other Agency In-Kind Amount	\$0				\$0				
29. Total Project Cost	\$181,529,716				\$181,529,716				
30. Fiscal Information									
Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt

Part II - Approved Budget				EPA IAG Identification Number DW-96-94018901 - f
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,414,830			\$17,414,830
(b) Fringe Benefits	\$124,247			\$124,247
(c) Travel	\$6,300			\$6,300
(d) Equipment	\$0			\$0
(e) Supplies	\$0			\$0
(f) Procurement / Assistance	\$162,979,313			\$162,979,313
(g) Construction	\$0			\$0
(h) Other	\$764,871			\$764,871
(i) Total Direct Charges	\$181,289,561	\$0	\$0	\$181,289,561
(j) Indirect Costs:	\$240,155	\$0	\$0	\$240,155
Charged - Amount Rate: % Base: \$ Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$				
(k) Total (EPA Share %) (Other Agency Share %)	\$181,529,716	\$0	\$0	\$181,529,716
32. How was the IDC Base calculated?				
33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)				
34. Are any of these funds being used on extramural agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Extramural Agreement Contract				
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project		Percent Funded by EPA (if known)	
Foster Wheeler	155382313		100	
Unknown	7597000		100	
	Total \$ 162,979,313.00			
Part III - Funding Methods and Billing Instructions				
35. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance				
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	


Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - f
37. Terms and Conditions (See attached terms and conditions, Attachment B)		
<p align="center">Part V - Offer and Acceptance</p> <p>Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.</p> <p>Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
EPA IA Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
38. Organization/Address		39. Organization/Address
U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101		US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912
Award Official on Behalf of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official Katherine Tsing-Choy - GIA Specialist		Date 05/05/2011
Authorizing Official on Behalf of the Other Agency		
41. Signature	Typed Name and Title SIGNATURE NOT REQUIRED	Date 05/04/2011

IA Terms and Conditions


All Terms and Conditions Remain the Same

END OF ASSISTANCE AGREEMENT NO. DW-96-94018901-f

DW 96940189-01-9

 <p align="center"> United States Environmental Protection Agency Washington, DC 20460 Interagency Agreement/ Amendment Part 1 - General Information </p>		1. EPA IA Identification Number DW-96-94018901 - g		2. Funding Location by Region EPA R1					
		3. Other Agency IA ID Number (if known)		4. Awarding Office IASSC West					
		5. Type of Action Augmentation: Increase		6. IA Specialist: Cathy Reese 206-553-6286 Reese.Cathy@epa.gov					
7. Name and Address of EPA Organization US Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101			8. Name and Address of Other Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200						
9. DUNS: 029128894		10. BETC: DISB		11. DUNS: DOD964126					
12. BETC: COLL									
13. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford. MAD980731335. This amendment increases Federal funding by \$5,500,000. All Terms and Conditions remain the same.									
14. EPA Project Officer (Name, Address, Telephone Number) Julianne Sammut 5 Post Office Square, Suite 100 Boston, MA 02109-3912 617-918-1426 E-Mail: sammut.julianne@epa.gov FAX: 617-918-0426			15. Other Agency Project Officer (Name, Address, Telephone) Marvene Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 E-Mail: marvene.l.seaman@usace.army.mil FAX:						
16. Project Period: 02/01/1999 to 12/30/2019			17. Budget Period: 02/01/1999 to 12/30/2019						
18. Scope of Work (See Attachment) The Scope of Work Remains the Same.									
19. Employer/Tax ID No. 520852695		20. CAGE No: 347A4		21. ALC: 68-01-0727					
22. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580					23. Other Agency Type Federal Agency				
24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)									
	Previous Funding		This Action		Amended Total				
Revise Reimbursable (in-house)	18,550,403		550,000		19,100,403				
Direct Fund Cite (contractor)	162,979,313		4,950,000		167,929,313				
Total	181,529,716		5,500,000		187,029,716				
	Previous Amount		Amount This Action		Total Amount				
25. EPA Amount	\$181,529,716		\$5,500,000		\$187,029,716				
26. EPA In-Kind Amount					\$0				
27. Other Agency Amount			\$0		\$0				
28. Other Agency In-Kind Amount					\$0				
29. Total Project Cost	\$181,529,716		\$5,500,000		\$187,029,716				
30. Fiscal Information									
Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
68-68X8145	111ARAP010	11	T	1A00R	302DD2C	2506	0143RA01	C003	5,500,000
									5,500,000

Part II - Approved Budget				EPA IAG Identification Number DW-96-94018901 - g
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,414,830	\$183,000		\$17,597,830
(b) Fringe Benefits	\$124,247	\$96,990		\$221,237
(c) Travel	\$6,300	\$4,017		\$10,317
(d) Equipment	\$0			\$0
(e) Supplies	\$0			\$0
(f) Procurement / Assistance	\$162,979,313	\$4,950,000		\$167,929,313
(g) Construction	\$0			\$0
(h) Other	\$764,871	\$77,000		\$841,871
(i) Total Direct Charges	\$181,289,561	\$5,311,007	\$0	\$186,600,568
(j) Indirect Costs:	\$240,155	\$188,993		\$429,148
Charged - Amount Rate: 67.5% Base: \$279,990.00 Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$181,529,716	\$5,500,000	\$0	\$187,029,716
32. How was the IDC Base calculated? personnel and fringe benefits				
33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)				
34. Are any of these funds being used on extramural agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Extramural Agreement Contract				
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project			Percent Funded by EPA (if known)
Foster Wheeler	167929313 Total \$ 167,929,313.00			100
Part III - Funding Methods and Billing Instructions				
35. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002.			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work <input type="checkbox"/> Advance			
<input type="checkbox"/> Allocation Transfer-Out	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance				
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (Include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - g
37. Terms and Conditions (See attached terms and conditions, Attachment B)		
<p align="center">Part V - Offer and Acceptance</p> <p>Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.</p> <p>Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
EPA IA Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
38. Organization/Address U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101		39. Organization/Address US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912
Award Official on Behalf of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official Armina K. Nolan - Manager - Grants and Interagency Agreements Unit		Date 06/27/2011
Authorizing Official on Behalf of the Other Agency		
41. Signature 	Typed Name and Title Scott A. Lowe, Ch., Mil & Env. Project Mgt. Br.	Date 6/28/11


IA Terms and Conditions

All Terms and Conditions Remain the Same

END OF ASSISTANCE AMENDMENT NO . DW-96-94-0189-g

OW 96 940189-01-h

Page 1

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement/ Amendment</p> <p>Part 1 - General Information</p>	1. EPA IA Identification Number DW-96-94018901 - h		2. Funding Location by Region EPA R1						
	3. Other Agency IA ID Number (if known)		4. Awarding Office IASSC West						
	5. Type of Action Augmentation: Increase		6. IA Specialist: Cathy Reese 206-553-6286 Reese.Cathy@epa.gov						
7. Name and Address of EPA Organization US Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101			8. Name and Address of Other Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200						
9. DUNS: 029128894		10. BETC: DISB		11. DUNS: DOD961316					
12. BETC: COLL									
13. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Remedial activities are conducted in accordance with 1998 ROD and selected remedy. This amendment increases Federal funding by \$5,000,000, and updates the Terms and Conditions to comply with the new IA guidance.									
14. EPA Project Officer (Name, Address, Telephone Number) Julianne Sammut 5 Post Office Square, Suite 100 Boston, MA 02109-3912 617-918-1426 E-Mail: sammut.julianne@epa.gov FAX: 617-918-0426			15. Other Agency Project Officer (Name, Address, Telephone) Marvene Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 E-Mail: marvene.l.seaman@usace.army.mil FAX: 402-697-2613						
16. Project Period: 02/01/1999 to 12/30/2019			17. Budget Period: 02/01/1999 to 12/30/2019						
18. Scope of Work (See Attachment) The Scope of Work Remains the Same.									
19. Employer/Tax ID No. 520852695		20. CAGE No: 347A4		21. ALC: 68-01-0727					
22. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580				23. Other Agency Type Federal Agency					
24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)									
	Previous Funding		This Action		Amended Total				
Revise Reimbursable (in-house)	19,100,403		200,000		19,300,403				
Direct Fund Cite (contractor)	167,929,313		4,800,000		172,729,313				
Total	187,029,716		5,000,000		192,029,716				
Funds	Previous Amount		Amount This Action		Total Amount				
25. EPA Amount	\$82,670,260		\$5,000,000		\$87,670,260				
26. EPA In-Kind Amount					\$0				
27. Other Agency Amount					\$0				
28. Other Agency In-Kind Amount					\$0				
29. Total Project Cost	\$82,670,260		\$5,000,000		\$87,670,260				
30. Fiscal Information									
Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
68-68X8145	121ARAP004	12	T	1A00R	303DD2	2506	0143RA01	C003	5,000,000
									5,000,000

Part II - Approved Budget				EPA IAG Identification Number DW-96-94018901 - h
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,597,830	\$76,000		\$17,673,830
(b) Fringe Benefits	\$221,237	\$40,280		\$261,517
(c) Travel	\$10,317	\$2,208		\$12,525
(d) Equipment	\$0	\$0		\$0
(e) Supplies	\$0	\$0		\$0
(f) Procurement / Assistance	\$167,929,313	\$4,800,000		\$172,729,313
(g) Construction	\$0	\$0		\$0
(h) Other	\$841,871	\$0		\$841,871
(i) Total Direct Charges	\$186,600,568	\$4,918,488	\$0	\$191,519,056
(j) Indirect Costs:	\$429,148	\$81,512	\$0	\$510,660
Charged - Amount Rate: 70.1% Base: \$116,280.00 Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %).	\$187,029,716	\$5,000,000	\$0	\$192,029,716
32. How was the IDC Base calculated? personnel and fringe benefits				
33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)				
34. Are any of these funds being used on extramural agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Extramural Agreement Contract				
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project		Percent Funded by EPA (if known)	
Various	172729313 Total \$ 172,729,313.00		100	
Part III - Funding Methods and Billing Instructions				
35. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance				
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - h
37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.		
<p align="center">Part V - Offer and Acceptance</p> <p>Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.</p> <p>Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
EPA IA Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
38. Organization/Address U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101	39. Organization/Address US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912	
Award Official on Behalf of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official Armina K. Nolan - Manager - Grants and Interagency Agreements Unit		Date 03/08/2012
Authorizing Official on Behalf of the Other Agency		
41. Signature ACONE.SCOTT.E.12285745 <small>Digitally signed by ACONE.SCOTT.E.12285745 DN: cn=U.S. Gov't, ou=U.S. Government, ou=DOD, ou=PEL ou=USA, cn=ACONE.SCOTT.E.12285745 Date: 2012.09.11 11:31:30 -0700</small>	Typed Name and Title Scott Acone, Ch Mil & Env Proj Mgt Br	Date 03/09/2012

IA Terms and Conditions

USACE Special Terms and Conditions - updated February 2012

The USACE agrees to meet the site-specific financial management and recordkeeping responsibilities contained in EPA's "Superfund Financial Management and Recordkeeping Guidance for Federal Agencies" (January 1989).

1. Cost Documentation Requirements

EPA, acting as manager of the Hazardous Substances Superfund, requires current information on CERCLA response actions and related obligations of CERCLA funds for these actions. In addition, CERCLA, as amended, authorizes EPA to recover from responsible parties all government costs incurred during a response action. In order to help assure oversight and successful recovery of CERCLA funds, both USACE and EPA have responsibilities under this agreement. The USACE accounting system reports must be supported by site – and activity-specific cost documentation. The USACE will organize and retain in a site file documentation of costs by site and activity (e.g. vouchers, billing statements, evidence of payment, audit reports) as follows:

a. Direct Costs

- Payroll – timesheets or timecards to support hours charged to a particular site, including the signature of the employee and/or the employee's supervisor.
- Travel – travel authorizations (including purpose of trip), local travel vouchers, traveler's reimbursement vouchers, carrier bills (including airline tickets), government owned vehicle bills, appropriate receipts for hotel, car rental, etc., proof of payment. Proof of payment is satisfied by providing a copy of the accomplished Standard Form (SF) 1166 "Voucher and Schedule of Payment" or equivalent.
- Contractor Services – copies of contracts, requests for proposals (RFPs), detailed evaluations of contractor bids, contractor invoices, USACE project officer approvals of invoices, and proof of payment. Proof of payment is satisfied by providing a copy of the accomplished SF 1166 or equivalent.
- Supplies and Equipment – EPA authorizations to purchase non-expendable property of \$1,000 or more, vendor invoices, proof of payment, and hourly records of equipment use, when applicable.
- Any other direct costs not included in the above categories.

b. Indirect Costs

If indirect costs are not calculated by the USACE accounting system, a worksheet showing calculations of indirect costs charged to a site will be retained by the USACE.

Under this IA, the USACE certifies: 1) that any indirect costs included in billings to EPA represent, in accordance with GAO principles, indirect costs that would not have been otherwise incurred by the USACE, or 2) that explicit Congressional authority exists for charging other than incremental costs of performance.

2. Reporting Requirements

- a. EPA regions and staff who are developing the IA should consider the anticipated project scope, schedule and costs, and discuss with the performing agency the appropriate level of detail for monthly reports, and agree on the content and format. EPA will use these reports as a tool to monitor site

activities.

b. The USACE will provide monthly progress reports to the EPA Project Officer and to the EPA Remedial Project Manager. The format and contents for monthly progress reports will follow recommendations provided in EPA's March 2008 OSRTI guidance memorandum entitled: "Monthly Project Reporting for Superfund Interagency Agreements to the U.S. Army Corps of Engineers". The monthly progress reports should minimally contain the following:

- A cover letter which includes the Site Name and IA Number.
- Summary of work performed for current period.
- Estimate of the percentage of the project completed.
- Accounting of funds expended during the reporting period and on the project to date, which includes budget category cost breakdown.
- Summaries of all change orders and claims made on contracts during the reporting period.
- Summaries of all contacts with representatives of the local community, public interest groups, or State government during the reporting period.
- Summaries of all problems or potential problems encountered during the reporting period.
- Projected work for the next reporting period.
- Copy of the SF 1080 billings statement clearly marked "copy".

c. The USACE will submit a complete and signed Request for Reimbursement (SF-1080) to the EPA Financial Management Center, Cincinnati (CFMC), containing, as appropriate, USACE cost by budget category identified by site, site-specific account number, and IA number. The USACE will follow the procedures contained in EPA's OERR Directive, Memorandum 9295.2-04 entitled "EPA/U.S. Army Corps of Engineers Payment Process, Direct Cite Revised Reimbursement Methods" (available at the following website: <http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment.pdf>). Upon receipt of the USACE certified bills, CFMC processes payment to USACE. Payment will be made within 5 days of receipt and without certification by the EPA Regional Program Office except for final billings. **The USACE project manager will provide one copy of the SF 1080 billings clearly marked "copy" with the monthly status report to the EPA Project Officer and one copy to the EPA Remedial Project Manager.** If EPA detects any apparent discrepancies with the payment request, the problem should be discussed and resolved with the USACE Project Manager. Any changes required to subsequent payment requests will be documented in a memorandum from the EPA Project Officer to the USACE project manager.

d. The USACE will provide a final inventory of property, within one month of the end of the Interagency Agreement performance period, describing the condition of each item. The USACE will require all contractors to provide a final inventory of property prior to their final contract payment. If the duration of the project is greater than one year, USACE will provide an annual inventory of all property acquired by or furnished to USACE with EPA funds.

3. Cost Recovery

In the event of a contemplated cost recovery action, the USACE will provide to EPA or the Department of Justice (DOJ) a cost documentation package detailing site-specific costs and including copies of the back up documentation. In some cases, these requests from EPA or DOJ may require that this documentation be provided in less than thirty days. If additional time is required to comply with a request, the USACE will negotiate with EPA or DOJ a schedule for responding. The USACE will provide EPA with a contact for obtaining necessary site-specific accounting information and documentation.

4. Cost Collection Upon Cancellation

If EPA cancels the IA, the USACE is authorized to collect costs incurred prior to cancellation of the IA plus termination costs, up to the total payment amount provided for under the agreement.

5. Record Retention Requirements

The USACE will retain the documents describe in these "Special Conditions" for a minimum of thirty years after submission of a final SF 1080 for a site or sites, after which USACE must obtain written permission from the authorized EPA official before disposing of any of the records. The USACE will require all contractors entering into cost reimbursable type contracts to establish and maintain cost documentation as described above.

6. Audits

- a. Superfund cost documentation information must be available for audit or verification upon request of authorized auditing agencies.
- b. If an audit determines that any direct or indirect costs charged to EPA by the USACE are unallowable, the USACE will notify EPA immediately following the release of the audit.

7. Final Inspection and Certification

The EPA Remedial Project Manager and Project Officer will participate in the final project inspection, as deemed necessary, to ensure all activities identified in the statement of work have been implemented. At project completion, the EPA Remedial Project Manager and Project Officer will review the final monthly and financial reports provided by the performing agency. If appropriate, EPA will initiate the IA closeout process.

8. Financial Closeout

Within six months after completion of the projects/activities, the USACE will send a letter to EPA Regional IA Coordinator stating that the project has been completed and give the total amount of funds utilized and the amount of excess funds to be deobligated and returned to EPA.

9. Other EPA Involvement

- a. If the Direct Fund Cite Method applies, payment by EPA to USACE contractors is contingent upon receipt of a USACE certified payment request. Reimbursement to USACE for in-house costs is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- b. If the Direct Fund Cite Method does not apply, reimbursement to USACE for all costs (contract and in-house) is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- c. Final project payments for specific contracts and in-house cost should be reviewed and approved by the EPA Regional Program Office.

10. Procurement

If this IA includes assisted acquisitions, EPA will coordinate with the performing agency prior to issuance of a contract solicitation, request for proposals under an existing contract or issuing a task order under an existing contract, to ensure that any applicable agency-specific terms and conditions are incorporated into the contract and that the statement of work is within the scope of this IA.

11. Equipment Disposition

EPA will hold title to all property acquired with Superfund monies. EPA will provide the USACE with property disposition instructions upon termination of the IA and receive fair-market value for any property disposed of or used for non-Superfund activities.

12. Minority Business Utilization

In accordance with Public Law 102-389, EPA's policy requires, to the fullest extent possible, that at least 8% of its overall Federal funding for prime and subcontracts awarded in support of authorized programs be awarded to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals, including historically Black colleges and universities and women. In accordance with CERCLA, as amended (P.L. 99-499), Section 105, any Federal agency awarding contracts, grants, or cooperative agreements utilizing Superfund monies shall consider the availability of minority contractors for participation in contracts. This includes but is not limited to: contracts, subcontracts, SBA 8(a) awards and any subagreements.

Consistent with the above statutes and policy, the USACE agrees, in awarding contracts under this IA, to comply with the utilization requirements for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) set forth. USACE also agrees to comply with the Small Business Act, 15 U.S.C. 631 et seq and the annual Small Business goals it negotiated with the Small Business Administration (SBA).

All reporting on MBE/WBE and small business accomplishments will be accomplished through the existing federal contracting reporting mechanism, currently the "Federal Procurement Data System, Next Generation (FPDS-NG)," which is available at: <https://www.fpds.gov/fpdsng/cms/>.

13. Project Specific Conditions

- a. The USACE will invite (with reasonable notice) the EPA RPM to participate in contractor meetings in which scope of the project and/or progress is discussed.
- b. The USACE will invite the EPA RPM to participate in the contractor selection process, as appropriate.
- c. The USACE will have final authority for contract bids, shop drawings and contract modifications that may occur/be prepared during the course of the contract (within contingency fund limitations).
- d. The USACE Project Manager will regularly brief the EPA RPM on the current status of the project. Briefings will be monthly unless a different frequency is mutually agreed upon by both project managers. Emphasis will be placed on project budget, expenditure rates, and schedule.
- e. The USACE personnel and its contractors will have the appropriate safety training and be involved as appropriate in a medical monitoring program as specified in 29 CFR Part 1910; 51 CFR 45663 - 45675; and Section 125(e) of CERCLA, as amended.
- f. All project deliverables will be reviewed by appropriate USACE and EPA personnel within 30 days unless a different frequency is mutually agreed upon by both USACE and EPA Project Managers. Shortened time frames may be appropriate in cases of expedited schedules.
- g. Upon request, the USACE will, in a timely manner, submit to the EPA RPM all final negotiated contracts and contract modifications with budget information.
- h. Under situations where private contractors or subcontractors who are attempting to contract or are under contract with USACE under this IA have claimed some information as Confidential Business Information (CBI), USACE will ensure that such private contractors or subcontractors mark the information as CBI or similar claim of confidentiality. The USACE will then inform EPA immediately in writing when such a claim has been received, and forward the information marked CBI to EPA for EPA

review. EPA's Office of General Counsel or Office of Regional Counsel will then decide whether the CBI claim is valid. If EPA determines that the information is CBI, USACE and EPA cannot release that information under the Freedom of Information Act (FOIA). If USACE or EPA did not ask the private contractors or subcontractors to identify CBI in its document submittals, and there is a FOIA request, USACE or EPA will have to go back to the private contractors or subcontractors and ask them to identify any CBI. If any questions arise regarding whether or not information is releasable under FOIA, USACE and EPA staff should request that the EPA Project Officer managing the IA contact EPA's Office of General Counsel or Office of Regional Counsel, or the local EPA FOIA Officer, for assistance.

i. If the EPA Project Officer changes during the period of performance of the IA, EPA should submit an IA Amendment Form as soon as the change occurs.

j. On an annual basis, EPA will conduct a performance feedback survey, fully coordinated with EPA, to assess work assigned to USACE through the IA during the calendar year. The purpose of this feedback survey is to assess the performance of USACE in carrying out assigned Superfund work during the calendar year. The survey includes survey questions that would be filled out by the RPM regarding USACE performance under the IA. For any sites where an RPM provides a low rating of '1' or '2' for any response to this feedback survey, USACE Headquarters will request that the USACE Project Manager contact the RPM to discuss the reasons for that rating and work out how to best resolve the problems or issues raised by the RPM.

14. Resolution of Disagreements

Should disagreements arise on the interpretation of the provisions of this agreement or amendments and/or revisions thereto, that cannot be resolved at the operating level, the area(s) of disagreement shall be stated in writing by each party and presented to the other party for consideration. If agreement or interpretation is not reached within 30 days, the parties shall forward the written presentation of the disagreement to respective higher officials for appropriate resolution.

If a dispute related to funding remains unresolved for more than 30 calendar days after the parties have engaged in an escalation of the dispute, disputes will be resolved in accordance with instructions provided in the Treasury Financial Manual (TFM) Volume I, Part 2, Chapter 4700, Appendix 10, available at <http://www.fms.treas.gov/tfm/index.html>.

If USACE and EPA cannot concur nor conditionally concur regarding any aspect of work associated with EPA and USACE activities under this IA, such disputes shall be resolved at the lowest level possible within EPA and USACE. In such instances, USACE district or division staff may sequentially elevate the matter to the Commander of the USACE district or division office that is managing the IA for resolution, and EPA regional or headquarters staff may sequentially elevate the matter to the Director of EPA's Superfund or Waste Management Division with the EPA regional or headquarters office that is managing the IA for resolution.

15. Quality Assurance

If this IA involves the collection, generation, or use of environmental data or information, then a Quality Management Plan (QMP) and a Quality Assurance Project Plan (QAPP) must be developed and used in accordance with existing Regional and National Program Office QA policies, guidelines, SOPs, etc. Within these broad QM/QA guidelines, specific requirements for a given project will be detailed in the Statement of Work (SOW) as an attachment to each IA. If mutually agreed, QMPs may address multiple projects and be submitted periodically, rather than project specifically. The USACE is responsible for reviewing and approving any contractor work for consistency with these QA requirements. Any guidance referenced herein will be superseded by updates or new Requirements/Guidance as they become available. EPA may perform periodic Quality System and/or project-related assessments. The most recent QMP and QAPP Guidance and Requirements can be found at:

<http://www.epa.gov/fedfac/documents/qualityassurance.htm> and with QMP guidelines found under "Uniform Federal Policy for Implementing Quality Systems" and QAPP guidelines as "Part 1: UFP QAPP

Manual" and also at Part 2A, Part 2A(e), and Part 2B.

16. Sufficient Progress

EPA expressly reserves the right to terminate the IA for failure to make sufficient progress so as to reasonably ensure completion of the project within the project period, including any extensions. EPA will measure sufficient progress by examining the performance required under the Statement of Work, the time remaining for performance, and/or the availability of funds necessary to complete performance. In exercising this right to terminate, EPA will follow the procedures for terminating the IA in Terms and Conditions.

17. Restrictions on FY12 Funding for Corporations with Unpaid Federal Tax Liabilities and Felony Convictions

This IA obligates and transfers or advances EPA funds appropriated under the Department of Interior, Environment, and Related Agencies Appropriations Act, (FY12 Appropriations Act). As a result, this interagency agreement (IA) is subject to the provisions of Division E, Sections 433 and 434 of the Appropriations Act, regarding federal felony convictions and unpaid federal tax liabilities. Specifically,

Section 433 provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

Section 434 of Division E of the Appropriations Act further provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with respect to which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Accordingly, by accepting the award of this IA, the USACE agrees that it will comply with and implement the prohibitions of Sections 433 and 434 for any contract, assistance agreement, loan, loan guarantee or other instrument with any corporation that will be funded with funds provided under this IA.

Non-compliance with the provisions of Sections 433 and 434 may implicate the Antideficiency Act. USACE will forward to the EPA Award Official, within 45 days, any determination and documentation supporting an award where suspension and debarment are considered by the awarding agency.

END OF ASSISTANCE AGREEMENT NO. DW-96-940189-01-h

1. EPA IA Identification Number DW-96-94018901 - i	2. Funding Location by Region EPA R1
3. Other Agency IA ID Number (if known)	4. Awarding Office IASSC West
5. Type of Action No Cost Amendment	6. IA Specialist: Cathy Reese 206-553-6286 Reese.Cathy@epa.gov

8. Name and Address of Other Agency
U.S. Army Corps of Engineers EM CX
1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES)
Omaha, NE 68102-9200

<p>13. Project Title and Description</p> <p>Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Remedial activities are conducted in accordance with 1998 ROD and selected remedy.</p> <p>This amendment reflects an administrative change to correct block numbers 25 and 29 on award. NO SIGNED ACCEPTANCE IS REQUIRED.</p>	
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16. Project Period: 02/01/1999 to 12/30/2019	17. Budget Period: 02/01/1999 to 12/30/2019
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19. Employer/Tax ID No. 520852695	20. CAGE No: 347A4	21. ALC: 68-01-0727
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24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)

Funds	Previous Amount	Amount This Action	Total Amount
25. EPA Amount	\$187,029,716	\$5,000,000	\$192,029,716
26. EPA In-Kind Amount	\$0		\$0
27. Other Agency Amount	\$0		\$0
28. Other Agency In-Kind Amount	\$0		\$0
29. Total Project Cost	\$187,029,716	\$5,000,000	\$192,029,716

[illegible]

Part II - Approved Budget				EPA IAG Identification Number DW-96-94018901 - i
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,673,830			\$17,673,830
(b) Fringe Benefits	\$261,517			\$261,517
(c) Travel	\$12,525			\$12,525
(d) Equipment	\$0			\$0
(e) Supplies	\$0			\$0
(f) Procurement / Assistance	\$172,729,313			\$172,729,313
(g) Construction	\$0			\$0
(h) Other	\$841,871			\$841,871
(i) Total Direct Charges	\$191,519,056	\$0	\$0	\$191,519,056
(j) Indirect Costs:	\$510,660	\$0	\$0	\$510,660
Charged - Amount Rate: % Base: \$ Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$192,029,716	\$0	\$0	\$192,029,716
32. How was the IDC Base calculated?				
33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)				
34. Are any of these funds being used on extramural agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Extramural Agreement Contract				
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project		Percent Funded by EPA (if known)	
Various	172729313 Total \$ 172,729,313.00		100	
Part III - Funding Methods and Billing Instructions				
35. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance				
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - i
37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.		
<p align="center">Part V - Offer and Acceptance</p> <p>Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.</p> <p>Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
EPA IA Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
38. Organization/Address U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101		39. Organization/Address US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912
Award Official on Behalf of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official Cathy Reese - EPA Grants Specialist		Date 05/14/2012
Authorizing Official on Behalf of the Other Agency		
41. Signature	Typed Name and Title NO SIGNATURE REQUIRED	Date


IA Terms and Conditions

All Terms and Conditions Remain the Same.

END OF INTERAGENCY AGREEMENT NO. DW-96-94018901-i

OW 96940189-01-j

Page 1

 <p align="center"> United States Environmental Protection Agency Washington, DC 20460 Interagency Agreement/ Amendment Part 1 - General Information </p>		1. EPA IA Identification Number DW-96-94018901 - j		2. Funding Location by Region EPA R1					
		3. Other Agency IA ID Number (if known)		4. Awarding Office IASSC West					
		5. Type of Action Augmentation: increase		6. IA Specialist: Cathy Reese 206-553-6286 Reese.Cathy@epa.gov					
7. Name and Address of EPA Organization US Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101			8. Name and Address of Other Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200						
9. DUNS: 029128894		10. BETC: DISB		11. DUNS: DOD961316					
12. BETC: COLL									
13. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Remedial activities are conducted in accordance with 1998 ROD and selected remedy. This amendment increases Federal funding by \$5,000,000.00. The Terms and Conditions remain the same.									
14. EPA Project Officer (Name, Address, Telephone Number) Julianne Sammut 5 Post Office Square, Suite 100 (OSRR01-5) Boston, MA 02109-3912 617-918-1426 E-Mail: sammut.julianne@epa.gov FAX: 617-918-0426			15. Other Agency Project Officer (Name, Address, Telephone) Marvene Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 E-Mail: marvene.l.seaman@usace.army.mil FAX: 402-697-2613						
16. Project Period: 02/01/1999 to 12/30/2019			17. Budget Period: 02/01/1999 to 12/30/2019						
18. Scope of Work (See Attachment) The Scope of Work Remains the Same.									
19. Employer/Tax ID No. 520852695		20. CAGE No: 347A4		21. ALC: 68-01-0727					
22. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580				23. Other Agency Type Federal Agency					
24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)									
	Previous Funding		This Action		Amended Total				
Revise Reimbursable (in-house)	19,300,403		0		19,300,403				
Direct Fund Cite (contractor)	172,729,313		5,000,000		177,729,313				
Total	192,029,716		5,000,000		197,029,716				
	Previous Amount		Amount This Action		Total Amount				
25. EPA Amount	\$192,029,716		\$5,000,000		\$197,029,716				
26. EPA In-Kind Amount					\$0				
27. Other Agency Amount			\$0		\$0				
28. Other Agency In-Kind Amount					\$0				
29. Total Project Cost	\$192,029,716		\$5,000,000		\$197,029,716				
30. Fiscal Information									
Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
68-68X8145	121ARAP006	12	T	1A00R	303DD2	2506	0143RA01	C003	5,000,000
									5,000,000

Part II - Approved Budget				EPA IAG Identification Number DW-96-94018901 - j
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,673,830			\$17,673,830
(b) Fringe Benefits	\$261,517			\$261,517
(c) Travel	\$12,525			\$12,525
(d) Equipment	\$0			\$0
(e) Supplies	\$0			\$0
(f) Procurement / Assistance	\$172,729,313	\$5,000,000		\$177,729,313
(g) Construction	\$0			\$0
(h) Other	\$841,871			\$841,871
(i) Total Direct Charges	\$191,519,056	\$5,000,000	\$0	\$196,519,056
(j) Indirect Costs:	\$510,660			\$510,660
Charged - Amount Rate: 70.1% Base: \$728,474.00 Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$192,029,716	\$5,000,000	\$0	\$197,029,716
32. How was the IDC Base calculated? Personnel + Fringe				
33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more) N/A				
34. Are any of these funds being used on extramural agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Extramural Agreement Contract				
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project		Percent Funded by EPA (if known)	
TBA	177729313 Total \$ 177,729,313.00		100	
Part III - Funding Methods and Billing Instructions				
35. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance				
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (Include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - j
37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.		
<p align="center">Part V - Offer and Acceptance</p> <p>Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.</p> <p>Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
EPA IA Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
38. Organization/Address U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101		39. Organization/Address US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912
Award Official on Behalf of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official FOR Armina K. Nolan - Manager - Grants and Interagency Agreements Unit Tony Fournier - AO delegate		Date 05/23/2012
Authorizing Official on Behalf of the Other Agency		
41. Signature ACONE.SCOTT.E.1228 574593	Typed Name and Title Scott Acone, Ch Mil & Env Proj Mgt Br	Date 5/29/2012


IA Terms and Conditions

IA Terms and Conditions remain the same.

END OF INTERAGENCY AGREEMENT NO. 96-94018901-J

DW96940189-01-K

Page 1

 <p align="center"> United States Environmental Protection Agency Washington, DC 20460 Interagency Agreement/ Amendment Part 1 - General Information </p>		1. EPA IA Identification Number DW-96-94018901 - k		2. Funding Location by Region EPA R1					
		3. Other Agency IA ID Number (if known)		4. Awarding Office IASSC West					
		5. Type of Action Augmentation: Increase		6. IA Specialist Cathy Reese 206-553-6286 Reese.Cathy@epa.gov					
7. Name and Address of EPA Organization US Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101			8. Name and Address of Other Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200						
9. DUNS: 029128894		10. BETC: DISB		11. DUNS: DOD961316					
12. BETC: COLL									
13. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases Federal Funding by \$5,000,000 and updates the IA Terms and Conditions.									
14. EPA Project Officer (Name, Address, Telephone Number) Julianne Sammut 5 Post Office Square, Suite 100 (OSRR01-5) Boston, MA 02109-3912 617-918-1426 E-Mail: sammut.julianne@epa.gov FAX: 617-918-0426			15. Other Agency Project Officer (Name, Address, Telephone) Marvene Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 E-Mail: marvene.l.seaman@usace.army.mil FAX: 402-697-2613						
16. Project Period: 02/01/1999 to 12/30/2019			17. Budget Period: 02/01/1999 to 12/30/2019						
18. Scope of Work (See Attachment) The Scope of Work Remains the Same.									
19. Employer/Tax ID No. 520852695		20. CAGE No: 347A4		21. ALC: 68-01-0727					
22. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580					23. Other Agency Type Federal Agency				
24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)									
	Previous Funding		This Action		Amended Total				
Revise Reimbursable (in-house)	19,300,403		0		19,300,403				
Direct Fund Cite (contractor)	177,729,313		5,000,000		182,729,313				
Total	197,029,716		5,000,000		202,029,716				
	Previous Amount		Amount This Action		Total Amount				
25. EPA Amount	\$197,029,716		\$5,000,000		\$202,029,716				
26. EPA In-Kind Amount					\$0				
27. Other Agency Amount			\$0		\$0				
28. Other Agency In-Kind Amount					\$0				
29. Total Project Cost	\$197,029,716		\$5,000,000		\$202,029,716				
30. Fiscal Information									
Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
68-68X8145	121APLP024	12	T	1A00R	303DD2	2506	0143RA01	C003	5,000,000
									5,000,000

Part II - Approved Budget				EPA IAG Identification Number DW-96-94018901 - k
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,673,830			\$17,673,830
(b) Fringe Benefits	\$261,517			\$261,517
(c) Travel	\$12,525			\$12,525
(d) Equipment	\$0			\$0
(e) Supplies	\$0			\$0
(f) Procurement / Assistance	\$177,729,313	\$5,000,000		\$182,729,313
(g) Construction	\$0			\$0
(h) Other	\$841,871			\$841,871
(i) Total Direct Charges	\$196,519,056	\$5,000,000	\$0	\$201,519,056
(j) Indirect Costs:	\$510,660			\$510,660
Charged - Amount Rate: % Base: \$ Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$197,029,716	\$5,000,000	\$0	\$202,029,716
32. How was the IDC Base calculated?				
33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more) N/A				
34. Are any of these funds being used on extramural agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Extramural Agreement Contract				
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project		Percent Funded by EPA (if known)	
Unknown	182729313 Total \$ 182,729,313.00		100	
Part III - Funding Methods and Billing Instructions				
35. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance				
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

Part IV - Acceptance Conditions		EPA Identification Number DW-96-94018901 - k
37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.		
<p align="center">Part V - Offer and Acceptance</p> <p>Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.</p> <p>Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
EPA IA Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
38. Organization/Address U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101		39. Organization/Address US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912
Award Official on Behalf of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official FOR Armina K. Nolan - Manager - Grants and Interagency Agreements Unit Peter Murchie - AO delegate		Date 06/12/2012
Authorizing Official on Behalf of the Other Agency		
41. Signature ACONE.SCOTT.E.12285 <small>Digitally signed by ACONE.SCOTT.E.1228574593 DN: cn=US, o=U.S. Government, ou=DoD, ou=PS email=ACONE.SCOTT.E.1228574593 Date: 2012.06.14 14:14:32 -0400</small>	Typed Name and Title Scott Acone, Chief, Mil & Env Proj. Mgt Br	Date 06/14/2012

IA Terms and Conditions

USACE Special Terms and Conditions - updated March 2012

The USACE agrees to meet the site-specific financial management and recordkeeping responsibilities contained in EPA's "Superfund Financial Management and Recordkeeping Guidance for Federal Agencies" (January 1989).

1. Cost Documentation Requirements

EPA, acting as manager of the Hazardous Substances Superfund, requires current information on CERCLA response actions and related obligations of CERCLA funds for these actions. In addition, CERCLA, as amended, authorizes EPA to recover from responsible parties all government costs incurred during a response action. In order to help assure oversight and successful recovery of CERCLA funds, both USACE and EPA have responsibilities under this agreement. The USACE accounting system reports must be supported by site – and activity-specific cost documentation. The USACE will organize and retain in a site file documentation of costs by site and activity (e.g. vouchers, billing statements, evidence of payment, audit reports) as follows:

a. Direct Costs

- Payroll – timesheets or timecards to support hours charged to a particular site, including the signature of the employee and/or the employee's supervisor.
- Travel – travel authorizations (including purpose of trip), local travel vouchers, traveler's reimbursement vouchers, carrier bills (including airline tickets), government owned vehicle bills, appropriate receipts for hotel, car rental, etc., proof of payment. Proof of payment is satisfied by providing a copy of the accomplished Standard Form (SF) 1166 "Voucher and Schedule of Payment" or equivalent.
- Contractor Services – copies of contracts, requests for proposals (RFPs), detailed evaluations of contractor bids, contractor invoices, USACE project officer approvals of invoices, and proof of payment. Proof of payment is satisfied by providing a copy of the accomplished SF 1166 or equivalent.
- Supplies and Equipment – EPA authorizations to purchase non-expendable property of \$1,000 or more, vendor invoices, proof of payment, and hourly records of equipment use, when applicable.
- Any other direct costs not included in the above categories.

b. Indirect Costs

If indirect costs are not calculated by the USACE accounting system, a worksheet showing calculations of indirect costs charged to a site will be retained by the USACE.

Under this IA, the USACE certifies: 1) that any indirect costs included in billings to EPA represent, in accordance with GAO principles, indirect costs that would not have been otherwise incurred by the USACE, or 2) that explicit Congressional authority exists for charging other than incremental costs of performance.

2. Reporting Requirements

a. EPA regions and staff who are developing the IA should consider the anticipated project scope, schedule and costs, and discuss with the performing agency the appropriate level of detail for monthly reports, and agree on the content and format. EPA will use these reports as a tool to monitor site

activities.

b. The USACE will provide monthly progress reports to the EPA Project Officer and to the EPA Remedial Project Manager. The format and contents for monthly progress reports will follow recommendations provided in EPA's March 2008 OSRTI guidance memorandum entitled: "Monthly Project Reporting for Superfund Interagency Agreements to the U.S. Army Corps of Engineers". The monthly progress reports should minimally contain the following:

- A cover letter which includes the Site Name and IA Number.
- Summary of work performed for current period.
- Estimate of the percentage of the project completed.
- Accounting of funds expended during the reporting period and on the project to date, which includes budget category cost breakdown.
- Summaries of all change orders and claims made on contracts during the reporting period.
- Summaries of all contacts with representatives of the local community, public interest groups, or State government during the reporting period.
- Summaries of all problems or potential problems encountered during the reporting period.
- Projected work for the next reporting period.
- Copy of the SF 1080 billings statement clearly marked "copy".

c. The USACE will submit a complete and signed Request for Reimbursement (SF-1080) to the EPA Financial Management Center, Cincinnati (CFMC), containing, as appropriate, USACE cost by budget category identified by site, site-specific account number, and IA number. The USACE will follow the procedures contained in EPA's OERR Directive, Memorandum 9295.2-04 entitled "EPA/U.S. Army Corps of Engineers Payment Process, Direct Cite Revised Reimbursement Methods" (available at the following website: <http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment.pdf>). Upon receipt of the USACE certified bills, CFMC processes payment to USACE. Payment will be made within 5 days of receipt and without certification by the EPA Regional Program Office except for final billings. **The USACE project manager will provide one copy of the SF 1080 billings clearly marked "copy" with the monthly status report to the EPA Project Officer and one copy to the EPA Remedial Project Manager.** If EPA detects any apparent discrepancies with the payment request, the problem should be discussed and resolved with the USACE Project Manager. Any changes required to subsequent payment requests will be documented in a memorandum from the EPA Project Officer to the USACE project manager.

d. The USACE will provide a final inventory of property, within one month of the end of the Interagency Agreement performance period, describing the condition of each item. The USACE will require all contractors to provide a final inventory of property prior to their final contract payment. If the duration of the project is greater than one year, USACE will provide an annual inventory of all property acquired by or furnished to USACE with EPA funds.

3. Cost Recovery

In the event of a contemplated cost recovery action, the USACE will provide to EPA or the Department of Justice (DOJ) a cost documentation package detailing site-specific costs and including copies of the back up documentation. In some cases, these requests from EPA or DOJ may require that this documentation be provided in less than thirty days. If additional time is required to comply with a request, the USACE will negotiate with EPA or DOJ a schedule for responding. The USACE will provide EPA with a contact for obtaining necessary site-specific accounting information and documentation.

4. Cost Collection Upon Cancellation

If EPA cancels the IA, the USACE is authorized to collect costs incurred prior to cancellation of the IA plus termination costs, up to the total payment amount provided for under the agreement.

5. Record Retention Requirements

The USACE will retain the documents describe in these "Special Conditions" for a minimum of thirty years after submission of a final SF 1080 for a site or sites, after which USACE must obtain written permission from the authorized EPA official before disposing of any of the records. The USACE will require all contractors entering into cost reimbursable type contracts to establish and maintain cost documentation as described above.

6. Audits

a. Superfund cost documentation information must be available for audit or verification upon request of authorized auditing agencies.

b. If an audit determines that any direct or indirect costs charged to EPA by the USACE are unallowable, the USACE will notify EPA immediately following the release of the audit.

7. Final Inspection and Certification

The EPA Remedial Project Manager and Project Officer will participate in the final project inspection, as deemed necessary, to ensure all activities identified in the statement of work have been implemented. At project completion, the EPA Remedial Project Manager and Project Officer will review the final monthly and financial reports provided by the performing agency. If appropriate, EPA will initiate the IA closeout process.

8. Financial Closeout

Within six months after completion of the projects/activities, the USACE will send a letter to EPA Regional IA Coordinator stating that the project has been completed and give the total amount of funds utilized and the amount of excess funds to be deobligated and returned to EPA.

9. Other EPA Involvement

a. If the Direct Fund Cite Method applies, payment by EPA to USACE contractors is contingent upon receipt of a USACE certified payment request. Reimbursement to USACE for in-house costs is contingent upon receipt of a USACE certified reimbursement request (SF 1080).

b. If the Direct Fund Cite Method does not apply, reimbursement to USACE for all costs (contract and in-house) is contingent upon receipt of a USACE certified reimbursement request (SF 1080).

c. Final project payments for specific contracts and in-house cost should be reviewed and approved by the EPA Regional Program Office.

10. Procurement

If this IA includes assisted acquisitions, EPA will coordinate with the performing agency prior to issuance of a contract solicitation, request for proposals under an existing contract or issuing a task order under an existing contract, to ensure that any applicable agency-specific terms and conditions are incorporated into the contract and that the statement of work is within the scope of this IA.

11. Equipment Disposition

EPA will hold title to all property acquired with Superfund monies. EPA will provide the USACE with property disposition instructions upon termination of the IA and receive fair-market value for any property disposed of or used for non-Superfund activities.

12. Minority Business Utilization

In accordance with Public Law 102-389, EPA's policy requires, to the fullest extent possible, that at least 8% of its overall Federal funding for prime and subcontracts awarded in support of authorized programs be awarded to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals, including historically Black colleges and universities and women. In accordance with CERCLA, as amended (P.L. 99-499), Section 105, any Federal agency awarding contracts, grants, or cooperative agreements utilizing Superfund monies shall consider the availability of minority contractors for participation in contracts. This includes but is not limited to: contracts, subcontracts, SBA 8(a) awards and any subagreements.

Consistent with the above statutes and policy, the USACE agrees, in awarding contracts under this IA, to comply with the utilization requirements for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) set forth. USACE also agrees to comply with the Small Business Act, 15 U.S.C. 631 et seq and the annual Small Business goals it negotiated with the Small Business Administration (SBA).

All reporting on MBE/WBE and small business accomplishments will be accomplished through the existing federal contracting reporting mechanism, currently the "Federal Procurement Data System, Next Generation (FPDS-NG)," which is available at: <https://www.fpds.gov/fpdsng/cms/>.

13. Project Specific Conditions

- a. The USACE will invite (with reasonable notice) the EPA RPM to participate in contractor meetings in which scope of the project and/or progress is discussed.
- b. The USACE will invite the EPA RPM to participate in the contractor selection process, as appropriate.
- c. The USACE will have final authority for contract bids, shop drawings and contract modifications that may occur/be prepared during the course of the contract (within contingency fund limitations).
- d. The USACE Project Manager will regularly brief the EPA RPM on the current status of the project. Briefings will be monthly unless a different frequency is mutually agreed upon by both project managers. Emphasis will be placed on project budget, expenditure rates, and schedule.
- e. The USACE personnel and its contractors will have the appropriate safety training and be involved as appropriate in a medical monitoring program as specified in 29 CFR Part 1910; 51 CFR 45663 – 45675; and Section 125(e) of CERCLA, as amended.
- f. All project deliverables will be reviewed by appropriate USACE and EPA personnel within 30 days unless a different frequency is mutually agreed upon by both USACE and EPA Project Managers. Shortened time frames may be appropriate in cases of expedited schedules.
- g. Upon request, the USACE will, in a timely manner, submit to the EPA RPM all final negotiated contracts and contract modifications with budget information.
- h. Under situations where private contractors or subcontractors who are attempting to contract or are under contract with USACE under this IA have claimed some information as Confidential Business Information (CBI), USACE will ensure that such private contractors or subcontractors mark the information as CBI or similar claim of confidentiality. The USACE will then inform EPA immediately in writing when such a claim has been received, and forward the information marked CBI to EPA for EPA

review. EPA's Office of General Counsel or Office of Regional Counsel will then decide whether the CBI claim is valid. If EPA determines that the information is CBI, USACE and EPA cannot release that information under the Freedom of Information Act (FOIA). If USACE or EPA did not ask the private contractors or subcontractors to identify CBI in its document submittals, and there is a FOIA request, USACE or EPA will have to go back to the private contractors or subcontractors and ask them to identify any CBI. If any questions arise regarding whether or not information is releasable under FOIA, USACE and EPA staff should request that the EPA Project Officer managing the IA contact EPA's Office of General Counsel or Office of Regional Counsel, or the local EPA FOIA Officer, for assistance.

i. If the EPA Project Officer changes during the period of performance of the IA, EPA should submit an IA Amendment Form as soon as the change occurs.

j. On an annual basis, EPA will conduct a performance feedback survey, fully coordinated with EPA, to assess work assigned to USACE through the IA during the calendar year. The purpose of this feedback survey is to assess the performance of USACE in carrying out assigned Superfund work during the calendar year. The survey includes survey questions that would be filled out by the RPM regarding USACE performance under the IA. For any sites where an RPM provides a low rating of '1' or '2' for any response to this feedback survey, USACE Headquarters will request that the USACE Project Manager contact the RPM to discuss the reasons for that rating and work out how to best resolve the problems or issues raised by the RPM.

14. Resolution of Disagreements

Should disagreements arise on the interpretation of the provisions of this agreement or amendments and/or revisions thereto; that cannot be resolved at the operating level, the area(s) of disagreement shall be stated in writing by each party and presented to the other party for consideration. If agreement or interpretation is not reached within 30 days, the parties shall forward the written presentation of the disagreement to respective higher officials for appropriate resolution.

If a dispute related to funding remains unresolved for more than 30 calendar days after the parties have engaged in an escalation of the dispute, disputes will be resolved in accordance with instructions provided in the Treasury Financial Manual (TFM) Volume I, Part 2, Chapter 4700, Appendix 10, available at <http://www.fms.treas.gov/tfm/index.html>.

If USACE and EPA cannot concur nor conditionally concur regarding any aspect of work associated with EPA and USACE activities under this IA, such disputes shall be resolved at the lowest level possible within EPA and USACE. In such instances, USACE district or division staff may sequentially elevate the matter to the Commander of the USACE district or division office that is managing the IA for resolution, and EPA regional or headquarters staff may sequentially elevate the matter to the Director of EPA's Superfund or Waste Management Division with the EPA regional or headquarters office that is managing the IA for resolution.

15. Quality Assurance

If this IA involves the collection, generation, or use of environmental data or information, then a Quality Management Plan (QMP) and a Quality Assurance Project Plan (QAPP) must be developed and used in accordance with existing Regional and National Program Office QA policies, guidelines, SOPs, etc. Within these broad QM/QA guidelines, specific requirements for a given project will be detailed in the Statement of Work (SOW) as an attachment to each IA. If mutually agreed, QMPs may address multiple projects and be submitted periodically, rather than project specifically. The USACE is responsible for reviewing and approving any contractor work for consistency with these QA requirements. Any guidance referenced herein will be superseded by updates or new Requirements/Guidance as they become available. EPA may perform periodic Quality System and/or project-related assessments. The most recent QMP and QAPP Guidance and Requirements can be found at:

<http://www.epa.gov/fedfac/documents/qualityassurance.htm> and with QMP guidelines found under "Uniform Federal Policy for Implementing Quality Systems" and QAPP guidelines as "Part 1: UFP QAPP

Manual" and also at Part 2A, Part 2A(e), and Part 2B.

16. Sufficient Progress

EPA expressly reserves the right to terminate the IA for failure to make sufficient progress so as to reasonably ensure completion of the project within the project period, including any extensions. EPA will measure sufficient progress by examining the performance required under the Statement of Work, the time remaining for performance, and/or the availability of funds necessary to complete performance. In exercising this right to terminate, EPA will follow the procedures for terminating the IA in Terms and Conditions.

17. Restrictions on FY12 Funding for Corporations with Unpaid Federal Tax Liabilities and Felony Convictions

This IA obligates and transfers or advances EPA funds appropriated under the Department of Interior, Environment, and Related Agencies Appropriations Act, (FY12 Appropriations Act). As a result, this interagency agreement (IA) is subject to the provisions of Division E, Sections 433 and 434 of the Appropriations Act, regarding federal felony convictions and unpaid federal tax liabilities. Specifically,

Section 433 provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

Section 434 of Division E of the Appropriations Act further provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with respect to which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Accordingly, by accepting the award of this IA, the USACE agrees that it will comply with and implement the prohibitions of Sections 433 and 434 for any contract, assistance agreement, loan, loan guarantee or other instrument with any corporation that will be funded with funds provided under this IA.

Non-compliance with the provisions of Sections 433 and 434 may implicate the Antideficiency Act. USACE will forward to the EPA Award Official, within 45 days, any determination and documentation supporting an award where suspension and debarment are considered by the awarding agency.

END OF DOCUMENT